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LETTER

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FROM THE

SECRETARY OF WAR,

TRANSMITTING

A SYSTEM OF FIELD SERVICE & POLICE,

AND

A SYSTEM OF MARTIAL LAW,

FOR THE GOVERNMENT OF THE

ARMY OF THE UNITED STATES.

Submitted, in obedience to a resolution of the House of Representatives of the United States, of the 22d of December, 1819.

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DECEMBER 26, 1820.

Referred to the Committee on Military Affairs.

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WASHINGTON:

PRINTED BY GALES & SEATON.

1820.

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LETTER

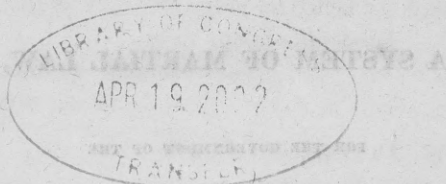
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SECRETARY OF WAR

RECEIVED

SYSTEM OF FIELD SERVICE & POLICE

AND



ARMY OF THE UNITED STATES

Printed in the office of the Secretary of the War Department, State of the Union, December 1899

WASHINGTON, D.C.

Referred to the Committee on Military Affairs





## DEPARTMENT OF WAR,

*22d December, 1820.*

SIR: Pursuant to a resolution of the House of Representatives, passed at the last session, on the 22d December, 1819, directing the Secretary of War, "to cause to be prepared, and laid before the House, at the next session of Congress, a system of martial law, and a system of field service and police, for the government of the army of the United States," I have the honor of transmitting, herewith, a system of field service and police, and a system of martial law; the former prepared, under the directions of this Department, by major-general Scott, and the latter by judge advocate major Storrow.

I have the honor to be,

Your obedient servant,

J. C. CALHOUN.

HON. JOHN W. TAYLOR,

*Speaker of the House Representatives,*



## HEAD QUARTERS, 1ST &amp; 3D MILITARY DEPARTMENTS,

*Elizabethtown, N. J. September 2d, 1818.*

SIR : I have the honor to enclose, herewith, the analysis of a work long since projected by me. The accomplishment of some similar design seems an important desideratum in our code of military instruction or legislation. But, on this point, the analysis, compared with existing regulations, will best speak for itself. I can only say that the formation of it has cost me much study and reflection, aided by the experience of a ten years' service, in peace and in war, in the line and in the staff, in the infantry and in the artillery.

When in Europe I collected every work, in French or in English, (not obsolete) on the service, police, discipline, instruction, and administration, of an army. These have been carefully read and collated, and, under the sanction of the War Department, I am now ready to compile a book, to correspond with the several articles of the accompanying analysis; taking, as a basis, our own laws, regulations, orders, and practice, as far as the paucity of the materials may suffice.

Should the idea of a Board occur, in connection with this offer, I would beg leave to suggest, that, joint labors, of the literary kind, but rarely succeed; and that I have, personally, a repugnance to that sort of employment, which nothing but a positive order could induce me again to forego. Indeed, I am persuaded (and from a personal experience somewhat in point) that, of five individuals, of equal qualifications, either might make a better book than the five taken together.

From what is here said I hope it will not be inferred that I should be unwilling to advise with officers of experience in the several branches of service embraced in my design, should I receive an order to attempt its execution. On the contrary, if my proposition is accepted, I shall be very happy to consult with many gentlemen with whom I have had the good fortune to serve: for example, on the 9th section of the analysis, with the present physician and surgeon general, whose hospital I inspected daily, for several months, in the campaign of 1814.

I foresee that, in the progress of the compilation, I should be tempted, perhaps not infrequently, to propose certain changes in parts of what is laid down above, as *the basis* of the projected work; but all such modifications would be carefully submitted for the approval of the department, before I should venture to adopt them.

After writing out all the articles, it would be my desire to read them over to you, personally; and, if you chose, in the presence of some two or three officers of experience, with a view to objections and explanations. If I should be so fortunate as to pass this ordeal,

the work might next be remitted to a committee of Congress, for legislative sanction, should *that* be thought necessary, under the 13th and 16th paragraphs, 8th section, 1st article of the constitution. Here the same explanations might be repeated, and should the book be finally ordered to the press, I could then, without neglecting my ordinary duties, superintend the printing of it.

To indemnify the publisher, (without limitation of the copy-right) against loss, it would still be necessary for the department to subscribe for a certain number of copies. According to the present supposition, this would be, it is presumed, a matter of course.

From the best calculation I have been enabled to make, all the articles given in the Analysis may be comprised into something less than four hundred 8vo. pages; or into a volume about the size of our infantry tactics; but the expense of publication would be less, inasmuch as the proposed work would not require more than five or six engraved plates, and the other has forty.

Under the head of *expense*, it remains for me to speak of myself. I should wish to be allowed, whilst employed on the work, the pay, &c. of my brevet rank; that is, the same allowances to which I was entitled whilst in the command of a department under the original act creating brevet rank. This is the only shape in which I should be willing to receive compensation for what may be termed *extra services*, and in this mode my pride, as an officer, would not be offended; particularly, as I still think, (with due deference to the national legislature) that the rights acquired by brevet officers, under the act of 1812, cannot be taken away except by dismissal or disbandment. This, however, is said incidentally, and in explanation of my own personal feelings. The compensation suggested might, no doubt, be granted on other considerations within the discretion of the department.

Permission to report myself on *extra duty* would be inferred from an acceptance of my general proposition. This would be necessary, as well with a view to the undivided attention which should be given to composition, as, also, to enable me to consult you, personally, on certain principles and details which might require settling before they were embodied. My absence from these departments can, it is presumed, be easily arranged with the general of the division, without prejudice to the service; and, by the spring, I should hope to be ready to return to New York, to my ordinary duties, with my manuscript prepared for the press.

Perhaps it might be well to give the titles, &c. of the works from which I should expect to compile; but, as this might also seem ostentatious, without a more apparent necessity, I will, at present, confine myself to the mention of the two following, which are the principal:

1. "Legislation Militaire; on recueil methodique et raisonné des lois, décrets, arrêtés, réglemens et instructions, actuellement [1812] en vigueur, sur toutes, les branches de l'état militaire," par Berriat, &c. five large 8vo. volumes, pp. 2,509. Notwithstanding the title

and the bulk of this manual of the French army, it does not contain, except by reference, a syllable of the *tactique* of the several corps.

2d. "General Regulations and Orders for the Army;" edition of 1813; pp. 326, in 8vo. The British manual, like that above, merely refers to the regulations on tactics. In the execution of the work now proposed, similar references would, occasionally, be necessary.

I doubt not that further study and reflection will enable me to make many necessary retrenchments in, and additions to, my analysis, and, also, to render its parts more consecutive. The latter improvement is extremely desirable, as it would enable one, in respect to the work itself, by an easy reference to what is settled in previous articles, to avoid a multitude of repetitions. But, after all, no labor, or combination of talent, can render that perfect which is, in its nature, uncertain and miscellaneous. Much may be done, but much will remain to be desired. There are only a very few of the branches of the art of war which have been reduced under the laws of positive science; and not one of those with which I propose to charge myself is of that number.

In such an undertaking literary fame is neither to be promised nor expected; and even the humble praise of usefulness is only to be acquired by great labor and minute attention. Nevertheless, as that usefulness, if attained, would be a perpetual improvement to our army, in health, in pride, and in efficiency; and, by consequence, extend the national fame in some future war, by the number and the brilliancy of our victories on the land, I should not deem the essay as unworthy of any talents or rank which the country possesses. But, far from arrogating to myself any peculiar fitness for the employment, I have constantly wished, since the war left us at leisure, that some other officer, better qualified, might present the army with such a work; and now, it is only because others have tacitly declined the service, that I offer myself as a volunteer.

With sentiments of the highest respect,

I have the honor to remain, sir,

Your most obedient servant.

WINFIELD SCOTT.

To the Honorable J. C. CALHOUN,

*Secretary of War.*





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*Note.*—The articles marked thus (\*) in this section (VI.) to be copied out of the *blue book* containing the present *army regulations*. See edition of January, 1820.





# GENERAL REGULATIONS

FOR

## THE ARMY.

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### SECTION I.

#### RANK AND COMMAND.

##### ARTICLE 1.

###### *Rank of Corps and Regiments.*

1. The rank of corps shall be as follows: 1st. The light or horse artillery; 2d. The light dragoons; 3d. Other regular cavalry; 4th. The foot artillery; 5th. The infantry; 6th. Detachments of the United States' marine corps, serving on land; 7th. The riflemen; 8th. Volunteer corps; 9th. Militia drafts.—In operations near an enemy, the forces will, nevertheless, be drawn up according to the orders of the General, or other commanding officer.

2. In any particular corps, regiments will take rank among themselves according to numerical order.

##### ARTICLE 2.

###### *Base of Discipline.*

1. It is the intention of the government that there be established in every regiment or corps, and throughout the army, as one corps, a gradual and universal subordination or authority, which, without loss of force, shall be even, mild, and paternal; and which, founded in justice and firmness, shall maintain all subordinates in the strictest observance of duty. It requires that enlisted soldiers shall be treated with particular kindness and humanity; that punishments, sometimes unavoidable, shall be strictly conformable to martial law; and, that all in commission shall conduct, direct, and protect infe-

riors, of every rank, with the cares due to men from whose patriotism, valor, and obedience, they are to expect a part of their own reputation and glory.

2. Under the President of the United States, as commander in chief, the following are the grades of army rank: 1st. Major general; 2d. Brigadier general; 3d. Colonel; 4th. Lieutenant colonel; 5th. Major; 6th. Captain; 7th. First lieutenant; 8th. Second lieutenant; 9th. Third lieutenant; 10th. Cornet or ensign; 11th. Cadet; 12th. Sergeant; 13th. Corporal; and the latter shall be superior to all private soldiers, including, under that denomination, private musicians, artificers, and the like.

3. The non-commissioned staff of regiments or battalions shall take rank as follows: 1st. Sergeant majors next immediately after cadets; 2d. Quartermaster sergeants, trumpet majors, and drum majors, next immediately after sergeant majors.

4. The officers of the general staff, clothed with rank assimilated to lineal rank, as those of the adjutant general's department, and several others, will be considered, in respect to rank, on the same footing as if their rank was lineal.

5. In other departments of the general staff, which give not rank assimilated to that of the line, as in the surgeon general's, &c. &c. subordination shall have place in each department, according to pay proper; the higher the annual or monthly pay of any officer therein, the higher his rank in his own particular department. And all persons subject to martial law, and not *commissioned*, shall be subordinate to any commissioned officer in the service, whether the officer be, or not, clothed with lineal rank, or rank assimilated thereto.

6. No officer of the staff, not having lineal rank, or rank assimilated thereto, shall command any officer whatever having such rank; but, on the other hand, the whole of the former shall be subordinate to the latter, under the following restrictions: 1st. The commissary general of purchases, the surgeon general, the paymaster general, and the apothecary general, to general officers only. 2d. An assistant surgeon general, and a deputy commissary of purchases, to any officer not under the rank of colonel. 3d. A judge advocate, a chaplain, and a regimental or battalion paymaster, to any officer not under the rank of major, unless, (in the case of the paymaster) it be the commandant of his regiment or battalion; 4th. An assistant commissary of issues, and a regimental full surgeon, to the orders of any officer not under the rank of captain; 5th. A post surgeon to any officer not under the rank of first lieutenant, unless it be the commandant of his particular post.

7. When several commissioned or non-commissioned officers of the same grade find themselves on duty together, the senior, in either case, shall be the superior.

8. An officer holding a commission from the United States, will command all officers of the same grade, in the service of the United States, who hold commissions from the particular states, without reference to the dates of commissions: and no such state or militia officer, not actually called into the service of the United States, shall

command any part of the United States forces. See article of the rules and articles of war.

9. In all that concerns the good of the service, the government requires that the superior shall always find in the inferior a passive obedience; and that all orders given, shall be executed with alacrity and good faith; but, in prescribing this kind of obedience, it is understood that orders shall not be manifestly against law or reason; and every superior is strictly enjoined not to injure those under him, by abusive or unbecoming language, or by capricious or tyrannical conduct.

#### ARTICLE 3.

##### *Principles governing the rank of officers.*

1. Questions respecting the rank of officers, arising from the sameness of dates in commissions of the same grade, shall be decided:— 1st. By reference to the relative rank of the parties in the regular forces, (including the United States' marine corps,) at the time the present appointments or promotions were made; 2d. By reference to former rank therein, taken away by derangement, or disbandment; 3d. By reference to former rank therein, given up by resignation; 4th. By lottery.

2. Brevet rank shall take command or effect only in the following cases: 1st. When it renders an officer, present on duty, with a separate command, comprising troops of different corps, the superior thereof; 2d. In the person of every brevet officer on courts composed of officers of different corps; 3d. By special *assignment* made by either the President of the United States, or the general-in-chief of a particular army in the field—whereby a brevet officer may be invested with a separate command comprising troops of different corps, although not previously on duty with it.

3. By the terms “separate command” shall be understood: 1st. The army, or a particular army in the field; that is, an army, the chief of which is in correspondence with the Executive; 2d. A detachment for temporary or occasional service; that is, a detachment marched beyond the chain of sentinels; 3d. A geographical division or department; 4th. A particular post.

#### ARTICLE 4.

##### *Succession in rank.*

1. The Executive will fill *original* vacancies, when created, by selection: *accidental* vacancies, below the rank of brigadier general, by promotion, and according to seniority, except in extraordinary cases.

2. Promotions to commissions in the line, below a captaincy, will be made by regiments; to commissions between those of first lieutenant and brigadier general, by corps; and no officer shall succeed to a higher rank until notified of his advancement thereto by the proper authority.

## ARTICLE 5.

*Succession in Command.*

1. An officer who supercedes, or succeeds to another, in any command whatever, will consider himself precisely in the situation of the predecessor in respect to previous orders or instructions (not abrogated) relative to the particular command; and the successor, although of an inferior rank, shall be authorized to demand to be put in possession of such orders and instructions, if they exist in writing, or to be informed of their nature and import, if they exist in memory only.

2. A superior officer, marching, or passing by, or through the command of another, or temporarily halting, or sojourning within the limits of the latter, will not supersede him, or interfere with his duties, except on urgent considerations, founded on the good of the service—for the sufficiency of which he will hold himself responsible to the next common commander; and in the case of not assuming the command, the superior, whilst in the limits of the particular commander, will give to his police regulations, as in the instance of a post, camp, or cantonment, all due respect and support.

3. An officer relieved in a command, although junior to his successor, shall have the right to demand of the latter, written duplicate receipts (setting forth the state and condition) of every article of public property (for which the relieved officer was personally responsible) turned over with the command. One of those receipts will be remitted to the proper administrative department, and the other retained in the possession of the officer.

## ARTICLE 6.

*Relative Rank and Precedence of Land and Sea Officers.*

1. The military officers of the land and sea services of the United States shall rank together as follows: 1st. A lieutenant of the navy with captains of the army; 2d. A master commandant with majors; 3d. A captain of the navy, from the date of his commission, with lieutenant colonels; 4th. five years thereafter with colonels; 5th. ten years thereafter with brigadier generals; and 6th. fifteen years after the date of his commission, with major generals. But, should there be created in the navy the rank of rear admiral, then such rank only shall be considered equal to that of major general.

2. Nothing in the preceding paragraph shall authorize a land officer to command any United States' vessel, or navy yard, nor any sea officer to command any part of the army on land; neither shall an officer of the one service have a right to demand any compliment, on the score of rank, from an officer of the other service.

3. Land troops serving on board a United States vessel, as marines, shall be subject to the orders of the sea officer in command thereof. Other land troops embarked on board such vessels,



for transportation merely, will be considered, in respect to the naval commanders, as passengers; subject, nevertheless, to the internal regulations of the vessels.

## SECTION II.

### MILITARY COMPLIMENTS, OR HONORS.

#### ARTICLE 7.

*Compliments:—by individuals as such.*

1. Courtesy, among military men, is indispensable to subordination and discipline. The good or the brave officer or soldier is always respectful towards superiors. He feels that, in honoring them, he does honor to the service and himself. His respect will not then be confined, simply to martial obedience, but will be extended to all occasions, and all circumstances. Thus it is always the duty of the inferior to *accost*, or to offer first, the customary salutation, and of the superior, to return such complimentary notice.

2. The salutation, among officers in uniform, will be made by touching the cap or *chapeau*, without inclination of the head or body; out of uniform by uncovering the head. In this case, the inferior would be the last to re-cover the head.

3. The non-commissioned staff and sergeants, when in uniform, will, without halting, salute officers as above;—out of uniform, they would take off the hat, or police cap, and hold it down by the right side until the officer passes or is passed.

4. Every corporal or private soldier will, in general, salute officers in like manner; but, if the officer be a general, the colonel or other commander of the regiment or post, and the corporal or soldier be in uniform, he would halt, face to, and salute such officer by touching the cap as above, and then remain as under arms for a moment, or until passed. By this form, at the same time the compliment is rendered, the individual submits his person to an inspection.

5. Every non-commissioned officer or soldier will, if out of uniform, uncover the head on speaking to or being addressed, individually, by an officer. If in uniform, the cap would be touched, as above, under the same circumstances.

6. A non commissioned officer or soldier being seated, and without particular occupation, will rise on the approach of an officer, and make the customary salutation. If standing, it would be proper to turn towards the officer for the same purpose.

7. If the parties remain in the same place, or on the same ground, such compliments would not, in general, be repeated.



8. The foregoing cases suppose the inferior to be without arms, or with side-arms only. With arms in hand, the inferior would, in reporting, or on receiving orders addressed to him, individually, bring the sword or firelock to a *recover*.

9. It is required that an officer who calls at headquarters, officially, or calls to make a visit of respect to a superior, shall present himself in uniform, unless the latter has been dispensed with by the chief or superior. If not, an apology or explanation will always be tendered by the inferior who makes such call out of uniform.

#### ARTICLE 8.

##### *Compliments—by guards and centinels.*

1. A sentinel will *carry arms* to all officers, whether in uniform or not, and *present arms* to his particular *officer of the day*, and to any other officer wearing two epaulettes and a sword. The latter compliment shall be paid to any armed body of men passing near a sentinel.

2. A sentinel, seeing himself approached, will halt, face to his proper front, and bring his firelock to a *support*. From this position he will salute the officer or armed body of men passing near him, if in a direction to be seen without turning the head. A guard shall take the same position, and observe the same rule, when approached by an officer or armed body of men entitled to a salute.

3. All guards, except the personal guards of general officers, turn out and present arms to the particular *officer of the day*, or to any general officer with sword and epaulettes, once. On subsequent visits from the same officer, a guard will turn out and stand by its arms.

4. The personal guard of a general will observe a like courtesy towards the general, or any superior general; and as often as visited or passed by an inferior general officer, or the *officer of the day*, it will turn out, and stand by its arms.

5. Police guards, and others interior to them, will compliment the commandant of the regiment or post respectively, in the manner prescribed in paragraph above.

6. A guard will turn out, and present arms to a new guard, or any armed body of men passing in front of it; and if the armed body is marching to music, the drums of the guard will join in the same air.

7. No compliment will be paid by a guard or sentinel between sunset and sunrise; but, during the same period, guards will turn out, and stand at shouldered arms, on an official visit from the *officer of the day*, a general, or staff officer.

8. The courtesy of the service requires that officers shall acknowledge, in a suitable manner, all compliments paid to them, whether by individuals, guards, or corps.

9. When a guard presents arms, if it be to the President or Vice

President of the United States, the drums shall play a march; if to the Secretary of War, or a major general, the drums shall beat two ruffles; if to a brigadier general, one ruffle.

#### ARTICLE 9.

##### *Compliments—by troops under review.*

1. A battalion being in the order of battle, the commander will give the caution—*The battalion will prepare for review*; when the ranks will be opened in the manner prescribed in the *Regulations for the exercise and manœuvres of infantry*.

2. At the word MARCH, the field and staff officers dismount; all the company officers, the colors, and the sergeant between, will advance four paces to the front of the first rank, and place themselves opposite their respective positions in the order of battle; the surgeons' mates, the surgeon, paymaster, quartermaster, and adjutant, will place themselves on the right of the rank of company officers, in the order in which they are here mentioned, at intervals of a pace from each other; the adjutant, who is on the right, will dress this entire rank; at the same time, the band (if there be one) will advance through the centre, and place itself in one rank midway between the colors and the line; the color guard will replace the colors, and the quartermaster sergeant and sergeant major, in the order of their rank, will place themselves on the right of the front rank of the battalion.

3. The field officers shall superintend the execution of these movements, and, on giving the word FRONT, the colonel will place himself eight paces, the lieutenant colonel and majors six paces each, in front of the first rank, opposite their respective places in the order of battle.

4. With a view to an increased front, when the battalion is to be reviewed singly, the division of drummers, with the drum-major on its right, may be formed on the right of the battalion; next, the division of pioneers, with the corporal on its right; and, lastly, the quartermaster sergeant and sergeant major on the right of the whole.

5. In this parade order, the battalion will await the approach of the personage who is to review it, for whose guide, a camp color will have been placed 80 or 150 paces in front of the colors, according to the extent of the line, and the plain in front of it.

6. When the reviewing personage is midway between the camp color and the colonel, the latter will face about, and command, *battalion present ARMS*; resuming immediately his proper front, when the whole will salute, the last motion of the sword to correspond with the last motion of the firelock. The drums or band will beat or play, according to the rank of the reviewing personage; if it be the President or Vice President of the United States, a march; if the Secretary of War, or a major general, two ruffles; if a brigadier ge-

neral, one ruffle. The regimental color alone will be dropped to a brigadier general; both colors to the Secretary of War or a major general; and all colors and standards to the President or Vice President of the United States.

7. If the reviewing officer be under the rank of brigadier general, no compliment will be paid by either the colors or music; neither will arms be presented to him, if he is inferior in rank to the commandant of the parade. In the latter case, he will be received with arms carried.

8. When the reviewing personage has advanced nearly up to the colonel, and the proper compliments are paid, the colonel will bring his sword to a carry, face to the line, and order, *battalion, shoulder ARMS*; when the whole will remain perfectly steady, except the colonel, who resumes his proper front.

9. The reviewing personage now turns off to the right of the battalion, passes thence, in front of all the officers to the left, around the left, and behind the rank of file closers, to the right again. Whilst he is passing around the battalion, no matter what his rank, the drums or band will play, and when he turns off to take his station near the camp color, the music will cease.

10. When the music ceases, the colonel will face about, and command, *battalion, rear ranks, close order—MARCH*. At the third word, all persons, except the colonel, who are in advance of their proper places, in the order of battle, will face about, and at the word *MARCH*, the whole battalion will return to that order, the proper officers remounting.

11. If a brigade is to be reviewed standing, the battalions composing it will, from the order of battle, assume the parade order, as above. The brigadier and his staff, on foot, will place themselves as follows:—The first, two paces in front of the rank of colonels, opposite the centre of the brigade, his aid on his right, one pace retired; other brigade staff officers, if field officers in rank, will place themselves in the rank of lieutenant colonels and majors, behind the brigadier; if below that rank, behind him in the rank of company officers. If there are bands of music with the brigade, they will be united with the drums, and formed in the intervals between the two battalions. If there be more than two battalions, and no interval in the line behind the brigadier, the music may be placed in any other situation that he may designate.

12. A brigade thus formed will receive the reviewing personage in the same manner that he would be received by a single battalion, with a slight difference in the words of command, and the repetition of them, which need not be here noticed.

13. If several brigades are to be reviewed together, or in one line, this further difference will be observed: the reviewing personage, joined by the general of the division, on the right of his division, will proceed down the line, parallel to its front, and when near the brigadiers respectively, will be saluted by their brigades in succession.

The music of each, after the prescribed salute, will play whilst the reviewing personage is in front or in rear of it, and only then.

14. The reviewing personage having taken a position near the camp-color, previously placed at a proper distance, the colonel, or other commander of the line, will cause the battalion or line to pass in review, as is partially prescribed at the end of section 5, of the *regulations for the field exercise and manœuvres of infantry*, to which the following paragraphs, Nos. inclusive, will be in the way of addition or explanation.

15. The column will first pass in common time, and afterwards, if required, in quick time, in both instances with closed ranks; but, in passing in quick time, no particular salute or compliment will be paid.

16. The line, if consisting of one or more battalions, will break into column of companies, each battalion column having its music, headed by the drum-major, six paces in front of the colonel, the pioneers, with the corporal at their head, four paces in front of the drum-major; the quartermaster sergeant in a line with the pioneers, two paces from the then reverse flank, and the quartermaster, paymaster, surgeon, and surgeons' mates, in one rank, four paces behind the file closers of the rear-most company.

17. When within six paces of the reviewing personage, the adjutant will be dressed in a line with the second division of the battalion column, and the sergeant major with the last but one, each six paces from the (then) reverse flank.

18. Passing in common time, the colors remaining in the ranks, will, at the distance of six paces, again salute the reviewing personage, according to his rank, and the music will cease playing for the drums to give the prescribed number of rolls or ruffles, when the same march or air will be resumed or continued, as is directed in the regulations above cited. At the same distance, the officers will salute as they successively come up. The commander of the column, having saluted, will place himself near the reviewing personage, and remain there until the rear has passed.

19. If the reviewing officer is inferior in rank to the commander of the column, the ruffles or rolls, and the color and sword salutes will be omitted in the passing, as has been directed for the standing review, but the troops would march past—arms carried.

20. When the column has passed, it will return to its original ground, and be wheeled up into line. From this position, such further exercises and manœuvres will be performed as may be required by the reviewing personage, and according to a card which he will have handed to the commander of the battalion or line.

21. In performing the required manœuvres, the camp color, previously placed in front of the parade, shall be the point on, and from which, they are to be made, although the reviewing personage should be occasionally absent from that point.

22. A number of companies, less than a regiment, would be reviewed as a regiment or battalion, and a single company would be



reviewed, the captain, &c. in the same positions both in the standing and passing salutes, as if the company were with the battalion. But the company would pass in column of platoons or sections, according to the order of the reviewing personage.

#### ARTICLE 10.

##### *Compliments—by the line.*

1. The line will turn out in the order of review, the whole on foot, in uniform, and with side arms only, whenever the President or Vice President of the United States, the Secretary of War, or a general in chief, (having under him more than a division of troops) passes along the front of the camp, previous notice being given. The colors, the staff resting on the ground, will be unfurled, each color bearer holding the staff of his color with the right hand. The drums will be piled up behind the colors. The whole, without paying any particular compliment, will remain steady until the personage has passed down to the left of the line, when it will be dismissed.

#### ARTICLE 11.

##### *Compliments—by troops in passing each other.*

1. Columns meeting in route will each incline to its right, and will pass as in review, each paying to the other the highest compliments. The colors of the one will only salute the colors of the other. Officers will salute as they successively come up with the commander of the other column.

2. If there be not space for them to pass each other, the column commanded by the inferior officer will be wheeled up into line on its own side of the way, and in that order will reciprocate the highest salutes, colors only saluting colors, and the officers of the passing column saluting as they successively come up with the colors of the standing line. In the face of the enemy the above compliments will, of course, be dispensed with. Under the latter circumstance, corps will take particular care not to cut each other in their movements.

#### ARTICLE 12.

##### *Compliments—by posts, as such.*

1. A salute shall be fired by any military separate post, garnished with long pieces of ordnance, from such ordnance, on a visit from either the President or Vice President of the United States, the Secretary of War, or a general officer in command, as follows:—if the visitor be the President or Vice President, the national salute will be fired; if the Secretary of War, a major general in the command of a



particular army in the field, or a geographical division or department, the salute will consist of fifteen guns; if a brigadier, in either of those commands, the salute will consist of eleven guns; due notice being given of the intended visit in all cases.

2. In respect to general officers, these further limitations will be observed: they will be saluted as above only whilst making the tour of their respective commands, and the same general not oftener than twice a year by the same post.

3. Posts, within gun shot of water, will reciprocate similar salutes, gun for gun with a ship of war not under the rate of a frigate, in passing, or as soon thereafter as may be agreed upon, but in no case shall the compliment exceed the national salute.

4. If the squadron or ship be American, the inferior, in relative rank, of the two land and sea officers, in the respective commands, will fire first the salute agreed upon.

5. If there be several such posts in sight of, or within six miles of each other, the principal only shall reciprocate compliments with ships passing.

6. The national salute shall be conformable to the number of states composing the Union, one gun for each state.

7. Salutes shall not be fired from calibres exceeding twelve pounders, if it can be avoided, and an interval of — seconds will be observed between the guns.

8. The flag of the post, or fort, that fires a salute, and others in sight, will be displayed whilst the salute is firing, and all guards will turn out under arms.

#### ARTICLE 13.

##### *Compliments—to the national anniversary.*

1. On every fourth of July, at — o'clock, a national salute will be fired at every separate camp and post provided with long guns, when, also, if the weather permits, the troops will be under arms.

2. If there be several camps or posts so near each other that the firing at the one would be confounded with the firing at another, the salutes will be fired successively, observing an interval of ten minutes between them, and beginning at the principal camp or post.

#### ARTICLE 14.

##### *Honors—to the Dead.*

1. The commander of any camp or post, on receiving certain intelligence of the death of the President of the United States, shall, on the following day, cause a gun to be fired at every half hour, beginning at sun-rise, and ending at sun-set. If two or more camps or posts be so situated that the firing at the one would be confounded

with the firing at another, that which is commanded by the superior officer will alone fire.

2. Funeral escorts will be composed as follows: for a major general's funeral, a battalion, a squadron, and two pieces of artillery; for a brigadier's, a battalion and one troop; for a colonel's, a battalion; for a lieutenant colonel's, six companies; for a major's, four companies; for a captain's, two companies; for a subaltern's, one company; for a sergeant's, twenty men; for a corporal's, twelve men; and for a private's, eight men, with a suitable allowance of music in each case—the whole escort on foot.

3. The funeral escorts of staff officers not having rank assimilated to lineal rank, will be regulated according to the qualified assimilation contained in paragraph sixth, article two.

4. A funeral escort will be commanded by an officer or non-commissioned officer of the grade of the deceased, or that next below or above such grade, according to the rank of the persons present, but in the case of a deceased private, the corporal will command the escort.

5. The pall bearers, six in number, will be detailed from the grade of the deceased, or from the grade or grades next above or below it.

6. At the funeral of an officer, as many in commission, of the army, division, brigade, or regiment, according to the rank of the deceased, as can conveniently be spared from other duties, will join in procession in uniform and with side arms only. The funeral of a non-commissioned officer or private will be attended, in like manner, by the non-commissioned officers or privates of the regiment or company, according to the rank of the deceased.

7. The escort, at shouldered arms, bayonets unfixed, being in line opposite the tent or quarters of the deceased, will receive the coffin with the highest salute. When it has cleared the right of the escort, the latter will break into open column, left in front, and in that order precede the deceased to the grave. Artillery and cavalry, if a part of the escort, will be preceded by the infantry.

8. Before putting the column in march, the commander will cause arms to be reversed, which will be executed by bringing the firelock under the left arm, the butt to the front, the barrel downwards, the muzzle within inches of the ground, the left hand sustaining the lock, and the right steadying the firelock behind the back; swords are reversed in a similar manner under the right arm.

9. Persons joining in the procession, follow the coffin in the inverse order of their rank, side arms by their sides.

10. The column will be marched to solemn music, and with its pivot flank next to the grave; when opposite, the commander will cause arms to be shouldered, and the line to be formed.

11. When the coffin is brought along the front, the escort will salute it, as before; and again shoulder arms when it reaches the grave; when, the commander will give orders to prime and load.

12. As the coffin is let down, the escort, including the artillery, will fire the first round; and a third, or last, at the moment the in-

terment is ended. The column will be re-formed, right in front, and march off to music in quick time.

13. If there be a chaplain to perform divine service, the escort, after saluting at the grave, will *rest on arms*, which is done by placing the muzzle on the left foot, both hands on the butt, the head on the hands, and the right knee a little bent. In this case, the three rounds will be fired after the interment is ended.

14. On the day on which the general-in-chief of an army in the field is interred, a gun will be fired at every half hour, beginning at sun-rise, and ending when the procession moves; and the whole line present will be under arms from the commencement of the procession until the interment is ended.

15. When the commander of a regiment falls under its colors, the regimental color will be faced with black crape four inches in width, and so remain for the space of two months.

16. Officers in funeral processions will wear black crape attached to the hilts of their swords. As family mourning, crape will be only worn by officers (when in uniform) around the left arm.

17. The drums of a funeral escort will be covered with black crape or thin black serge.

#### ARTICLE 15.

##### *Miscellaneous.*

1. Similar compliments to those which are due to a major-general, from guards, troops under review, or posts, as such, may be paid to either of the following personages, present by invitation from the commanding officer, to wit:—the chiefs of the Executive Department of the United States government, not before mentioned; the President pro tem. of the United States Senate, the Speaker of the House of Representatives of the United States, the Chief Justice of the United States, and the Governors of states and territories, within their respective geographical limits.

2. Any compliment or honor due to officers of the land forces may be paid to naval officers, according to relative rank, by order of the commanding officer.

3. Foreign officers, present by invitation from the general of an army in the field, or the commander of a geographical division or department, may also be complimented, according to relative rank, by guards, troops under review, or posts, by order of such commander.

## SECTION III.

## INTERIOR ECONOMY OF REGIMENTS &amp; COMPANIES.

## ARTICLE 16.

*Unanimity, or l'esprit du corps.*

1. A spirit of good will, and even of brotherhood, particularly among the members of the same regiment, are essential to the good of the service, and to establish which the colonel will use the legal power and moral influence belonging to his rank and station. Timely interference to prevent disputes among officers, or to heal them, if they should unfortunately arise; advice to the young and the inexperienced; parental reprehensions (in private) of the disorderly, and prompt arrests of the disobedient, are among his surest means of accomplishing those highly important ends, and towards the attainment of which he cannot fail to receive the assistance or support of every well disposed officer. The general deportment of officers towards juniors, or inferiors, will also be carefully watched and regulated. If this be cold or harsh on the one hand, or grossly familiar on the other, the harmony and discipline of the corps cannot be maintained. The examples are numerous and brilliant in which the most conciliatory manners have been found perfectly compatible with the exercise of the strictest command; and the officer who does not unite a high degree of moral vigor, with that civility which springs from the heart, cannot too soon choose another profession, in which imbecility would be less conspicuous, and harshness less wounding and oppressive.

## ARTICLE 17.

*Instruction.*

1. The colonel will exert himself to the utmost in the instruction of the entire regiment under him; he will cause it to execute, frequently, the exercises and movements prescribed for the arm of service to which he belongs, and, more particularly, those which are most likely to be necessary in the presence of an enemy; he will, at those exercises, direct the field officers and captains, successively, to give, in his presence, the words of command, and superintend their execution; he will march the regiment, successively, two, three, four, and five miles, in hot weather, without halting, to accustom it to service under that circumstance: he will establish athletic, and encourage all manly exercises (including swimming) among both officers and men;



he will cause the latter to be instructed how to clean and preserve their arms, accoutrements, and clothing; to preserve their ammunition; to make cartridges, gabions and fascines; to form trenches and abattis; to pitch and strike tents; to pack knapsacks; to construct camp ovens and kitchens; to make bread and soups; and, in general, to do every thing necessary to the health, pride, and efficiency, of the regiment, with a view to a vigorous campaign.

#### ARTICLE 18.

##### *System of responsibility.*

1. The colonel will be responsible to his immediate commander for the good order and efficiency of the regiment, and will himself conform to, and cause to be executed, the military laws, regulations and orders applicable to his command.

2. In campaign, when the regiment is divided, he will remain with that part, the position of which he may judge to be the most important, unless otherwise ordered by his immediate commander.

3. The organization of a regiment in the order of battle will be taken as the basis of its division, with a view to interior police or economy. The lieutenant-colonel will be charged with the care of the right wing, and the major of the left, under the supervision of the colonel; and the captains will be immediately responsible to the field officers of their respective wings.

4. Every company will be divided into four squads, and numbered, beginning on the right of the company in the order of battle, and ending on the left, with a non-commissioned officer at the head of each, who will be immediately responsible to one of the lieutenants, among whom the squads will be distributed, as the latter will be to the captain.

5. If there be not a sufficient number of non-commissioned officers with the company to take charge of the squads, exclusive of the first sergeant, (who is never to be put on that duty, nor on any other which takes him from the company) privates, the best qualified, will be substituted as lance-corporals.

6. The band will form a separate squad, under its proper chief, who will be immediately responsible to the adjutant; or the musicians will fall into the squads of their respective companies, at the discretion of the colonel.

7. As far as practicable, squads will be kept separate, whether in tents or quarters; and the men of each will be numbered according to their qualifications, in order that the highest in number present, may, as lance-corporal, command the squad in the absence of the non-commissioned officer habitually charged with the care of it, and the inexperienced soldiers will be mixed with the old.

8. The adjutant, assisted by the sergeant-major; the quartermaster, assisted by the quartermaster-sergeant; the paymaster, assisted by



a non-commissioned officer; and the surgeon, assisted by his mates, will be immediately responsible to the colonel in their respective departments of duty. The surgeon will also be responsible to the field officers of the respective wings, that the sick, in tents or quarters, do not suffer for the want of medical assistance.

#### ARTICLE 19.

##### *Appointment of certain commissioned staff officers; appointment and degradation of non-commissioned officers.*

1. Adjutants, quartermasters, and conductors of artillery, will be selected by the commander of the regiment or battalion, and announced in orders. These staff appointments will be held during the pleasure of the colonel or other permanent chief, and cannot be vacated at the pleasure of a temporary commander.

2. The appointment of paymasters is reserved to the executive.

3. It is at all times competent for the commander, when he shall judge that the good of the service requires it, to put an individual of his staff temporarily on lineal duties—that is, when the individual holds rank in the line.

4. In the absence of the permanent staff at head-quarters, a temporary staff may be appointed to *act* as such. So, if two or more companies be serving together without a permanent staff, the commander of the detachment may appoint an *acting* staff.

5. The non-commissioned staff will be selected by the colonel; the non-commissioned officers of companies will also be appointed by him, but, on recommendations made by the respective captains, where no strong objection exists to the individuals nominated. In the latter case, other individuals will be offered to the colonel.

6. Every non-commissioned officer will be furnished with a certificate of his rank, signed by the colonel and countersigned by the adjutant, which will be assimilated, as near as may be, to the commission of an officer.

7. The appointment of every non-commissioned officer will be announced in regimental orders: after which, he cannot be degraded, except for incapacity, or misconduct proven before a court, and if found guilty of a slight offence, the punishment shall not exceed reduction to the ranks.

8. As far as practicable, the selection of company sergeants shall be made from the corporals. Appointments to the rank of corporal, or promotions to that of sergeant, may be made from one company into another company of the same regiment, having the approbation of the captain into whose company such transfer is made.

9. No appointment or promotion to the rank of non-commissioned officer shall be made in any company which has, at the time, its full proportion of non-commissioned officers, according to the number of privates therein, with reference to the legal establishment.

## ARTICLE 20.

*System for encouraging good conduct by the appointment of lance corporals.*

1. The three officers highest in rank present with the regiment, assisted by the adjutant as secretary, will hold a board on the first day of every other month in the year, for the purpose of considering the pretensions of such privates as may offer themselves in person, or may send in their names for the rank and distinction of lance-corporal, which shall be accorded to every private, on satisfactory proof that he has been *active* in the performance of his duties, and exemplary in his general deportment during the preceding six months.

2. This distinction will not change the pay of the individual, nor exempt him from the duties of a private soldier, under which character he will still be borne on all reports and muster rolls; but it shall give him the command of squads or detachments consisting of privates only, or other lance-corporals, his juniors.

3. A lance-corporal thus appointed will be announced in orders, and shall wear a distinctive badge, after which other privates or lance-corporals, his juniors, shall treat him with the respect due to a corporal, (that is, when he is in command as such,) nor shall he be deprived of his badge, except by the judgment of a court, and if found guilty of a slight offence, the punishment shall not exceed such deprivation.

4. As far as practicable, the selection of corporals will be made from lance-corporals.

5. Companies stationed singly at a distance from head quarters may, by permission of the colonel, hold boards consisting of three officers for the purpose of conferring the rank of lance-corporal as above, or the names of applicants may be sent to the regimental board.

## ARTICLE 21.

*Selection of pioneers.*

1. Intrepidity, strength, and activity, are the qualifications which will be considered the most necessary for pioneers, who will be nominated and put in orders, in the manner prescribed for company non commissioned officers. The colonel will select one of the corporals of the regiment to command them when embodied.

## ARTICLE 22.

*Selections for flank companies.*

1. Activity, lightness, hardihood, and a spirit of enterprize, are the qualifications to be sought for by the colonel in the selection of

light infantry and rifle officers, and men from the mass of the regiment.

2. On a war establishment the flank companies will be kept as nearly complete as practicable. Under the other circumstance, selections will be made to keep them up to the average of the battalion companies present with the colors.

3. In time of peace, the colonel, to avoid jealousies, will, as often as practicable, rather fill the ranks of flank companies by selections from the mass of recruits brought to head quarters, than by selections from the ranks of the battalion companies.

#### ARTICLE 23.

##### *Employment of soldiers, as clerks, mechanics, and waiters.*

1. As these occupations impair, or derogate from the military character, they are to be strictly limited and watched; and the designation or employment of men, not non-effective, in the ranks, as standing or permanent clerks; or the designation of men as permanent mechanics, in cases not expressly provided for, is positively prohibited.

2. If a soldier be required to assist his first sergeant in the clerical business of the company, to excuse him from a tour of military duty, the captain will previously obtain the sanction of his own commander (if he has one present) and, whether there be a superior present or not, the captain will be responsible that the man so employed does not miss four successive tours of guard duty by reason of such employment.

3. A clerk, required by a staff officer, for office business, will be selected, as far as practicable, with the approbation of his captain; or, if required by a general staff officer, with the approbation, in like manner, of the commander next above the captain present.

4. The mechanics found in a regiment may be relieved from ordinary military duty, to make, to alter, or to mend, soldiers' necessities; but no soldier shall be so relieved to work for the private benefit of an officer.

5. Captains will cause the men for whose benefit the mechanics have done work, to pay for the same at the next pay day, at the rate previously fixed by the council of administration. See par. 6 and 19, art. 41.

6. Work done by soldiers, in the intervals of duty, for the private benefit of officers, will be paid for as soon as finished, at the rate previously and voluntarily agreed upon; and an officer known to have employed a soldier on such work, will be liable to arrest and punishment, as in the case of breach of orders, if he cannot produce a written receipt in full of such payment.

7. Work done by soldiers on necessary furniture for offices and quarters, will not be considered for the private benefit of the officers

who use the furniture, if it be reported and registered as the property of the United States.

8. Each company officer, whilst actually with his company, will be allowed to take therefrom one private soldier as a waiter, with the voluntary consent of the latter; and, in the case of a subaltern, with the approbation also of the captain as to the particular man selected. No other officer will be allowed to take a waiter from the line.

9. Occasional *voluntary* services, rendered by private soldiers, as waiters, in the *ordinary* intervals of duty, will not be considered as falling under or violating the 6th and 8th paragraphs of this article.

10. Waiters will be exempted from all ordinary duties, excepting one tour of guard duty per month; but their employers will be responsible that they, and also company clerks, fall into their respective companies at all drills, (when not expressly excused by the commanding officer) at all reviews, musters, and inspections, and as often as a meeting with the enemy is expected.

#### ARTICLE 24.

##### *Designation and consolidation of companies.*

1. At the first organization of a regiment or independent battalion, the companies will be designated by letters of the alphabet, giving the first letters to the flank companies, according to the rank of the respective captains, or, if the rank be not settled, by lottery—and the next highest letters of the alphabet to the remaining companies, on the same principle.

2. Designations so given will be as permanent as the regiment or independent battalion. A change in the relative rank of the captains will of course change the positions of the companies in the habitual order of battle, whether the captains be present or not, but will not change the letters of the companies.

3. When any company, serving with the colors, cannot be kept up to the number of thirty privates, the commander will designate a recruiting party, and transfer the remainder of the company to the other companies present. In this case, the captain and the party designated and sent on the recruiting service, would retain the letter of the company, and the books and papers belonging to it—excepting such papers as ought necessarily to go with the men transferred.

4. On the return to the regiment of a company sent on the recruiting service, the colonel will, if he thinks it expedient, re-transfer to it a part of the old soldiers in lieu of as many recruits.

5. In war the minimum strength of companies, as fixed above, may be changed in any particular army in the field by the commander thereof.



## ARTICLE 25.

*Base of interior police and service.*

1. A captain or subaltern, (according to the strength of the regiment present) will be detailed daily as *officer of the day*, to watch over the execution of the police of the regiment, whose duties, nevertheless, will not dispense other officers from their habitual attention to similar objects, each within his sphere.

2. A police guard will be detailed daily, having a trumpeter or drummer attached to it, to sound the signals hereinafter prescribed, and such others as may be particularly ordered. See article 50.

3. The commandant of the guard will be immediately responsible to the *officer of the day* for the security of the prisoners in its charge; for the tranquility of the tents or quarters of the regiment; for their safety from fire; and for the due execution of the signals, &c. &c.

4. There will be daily five stated roll-calls. The result of each, except that made at retreat parade, will be verbally and promptly reported by the first sergeants to their respective captains, and, by the latter, in case of *absence without leave*, or *desertion*, to the adjutant, for the information of the colonel.

5. At the dawn of day, a signal or call will be made for the music to repair to the regimental parade, and five minutes after the call, the whole will commence the *reveillé*, when both officers and men will rise. As soon as the music ceases, the first sergeants will call their rolls in front, (when the weather will permit) of the tents or quarters of the respective companies, each company being in the habitual order of formation. In bad weather, permission may be given to make the call in tents or quarters, by the chiefs of squads.

6. The rolls being called, the chiefs of squads will immediately cause the men to put their tents or quarters in order; to sweep the space in front of them, (when the weather will permit) and, in camp, that between the tents and kitchens;—to water and feed horses; to dress them; and to clean the stables or ground on which the horses are picketted. At the same time, the commandant of the guard will cause the tents or quarters of the guard to be put in order, and the space around him to be swept, employing for these purposes the prisoners in preference to the guard. The duties mentioned in this paragraph shall be termed *the general fatigue*.

7. The result of this roll-call having been reported, verbally, in the first instance, will afterwards constitute the foundation of the written morning reports of companies, to be handed in to the adjutant before eight o'clock A. M. after being verified by the signatures of the respective first sergeants and captains. The reports will be consolidated in the next hour by the adjutant, for the information of the colonel, and if the consolidation is to be sent to a higher commander, it will be signed by the adjutant and colonel.



8. Thirty minutes before nine o'clock A. M. the surgeon's call will be given, when each first sergeant will conduct to the dispensary the sick of the tents or quarters who are able to go thither without prejudice, and, at the same time, hand in to the surgeon a report of all the sick of the company other than those in hospital. The patients who cannot attend at the dispensary, will be, immediately after, if not before, visited by the surgeon.

9. The second stated roll-call will be at nine o'clock A. M. and the third at three o'clock P. M. the former immediately preceding breakfast, the latter immediately preceding dinner. For these purposes, the police drum, or trumpet, will sound appropriate signals, which will be immediately answered by the music of the several companies, by *peas on the trencher* for breakfast, and *roast beef* for dinner. At both meals, the roll of each company will be called before commencing, by the first sergeant, if the company messes together, otherwise by the non-commissioned officers of the respective squads, and the result, in case of absentees, promptly reported to the first sergeant. The *officer of the day* will, as often as practicable, make a visit of inspection to the mess-rooms at meal hours.

10. Thirty minutes after *peas on the trencher*, a call will be sounded for the fatigue party daily detailed for that purpose; (that is, when the number of prisoners confined in the police guard shall be insufficient) to turn out and sweep the regimental parade, and such other parts of the camp or place as were not swept or cleaned after the reveillé. This party shall be termed *the daily fatigue*.

11. In cavalry corps, there shall be a stable-call forty minutes before noon, for watering, feeding and dressing horses.

12. For the fourth roll-call or dress parade, a signal will be sounded thirty minutes before sun-set for the music to assemble on the regimental parade. At the same time, each company will turn out under arms, for inspection by its officers on its own parade.

13. Ten minutes after that signal, the adjutant's call will be given by the assembled musicians, at which each company will be marched to the regimental parade, and formed in its relative position, *ranks opened, arms ordered*, and standing-at-ease; the company officers will, at the same time, march out six paces to the front, face about to the line, each opposite to his place therein. The parade will be commanded by a field-officer, or the senior officer present, who will take post at a suitable distance in front, opposite the centre, and facing the line.

14. The music will be formed in two ranks, on the right of the line, and from the *adjutant's call* to the *retreat*, the band, if there be one, will play.

15. Ten minutes before the setting of the sun, the adjutant will order the music to *beat off*, when the whole will commence on the right, beat to the left, and back again to their former position, marching along the front in both instances. The *retreat* will be concluded by three rolls, at the first of which, the adjutant and company

officers will draw swords, and at the last, the company officers will face about from the line.

16. When the music ceases, the adjutant, being on the right, will command; 1st. *ATTENTION*. 2d. *Shoulder ARMS*. 3d. *Right DRESS*. When he sees all the ranks well aligned, he will add, 4th. *FRONT*, and march along the front to the centre, face to the right, and pass the line of company officers eight or ten paces, come to the right about, and again command—*Present ARMS*.

17. Seeing this executed, he will face about to the commander, salute and report, "*Sir, the parade is formed.*" The adjutant will then, on an intimation to that effect, take his station on the left of the commander, a pace retired, and put up sword.

18. The commander will draw sword, after acknowledging the salute of the line, and command, 1st. *Shoulder ARMS*. 2d. *Eyes RIGHT*, 3d. *Eyes LEFT*, 4th. *FRONT*; and such other exercises as he may think proper, concluding with *order ARMS*; *stand-at-EASE*.

19. On an intimation to call rolls, the adjutant will draw sword, advance upon the line, halt at a proper distance, and order, 1st. *First sergeants, to the front*, 2d. *MARCH*. At the first word, they will advance arms; at the second, march four paces to the front and halt; when the adjutant will add, 3d. *Call ROLLS*; at this word, the captains and first sergeants will face to the right about, and the latter execute the command, each under the inspection of his captain. Both captains and sergeants will then resume their proper fronts.

20. The adjutant will continue, 1st. *First sergeants, inwards*—*FACE*: 2d. *To the centre*—*MARCH*. When they meet and close on the centre, (halting as they close) he adds, 3d. *Front FACE*: 4th. *REPORT*. At the last word, each in succession, beginning at the right, will bring his firelock to a *recover*, and report distinctly, "all present or accounted for," "one absent," or the like, according to the fact.

21. The adjutant again: 1st. *First sergeants*, 2d. *Outwards FACE*. 3d. *To your posts*—*MARCH*. At this word, each will resume his place, and order arms. The adjutant will now face to the commander, salute and report the result of the roll-call; then, on an intimation to that effect, face about to the line, and read such orders as he may have for the purpose, after the caution—*attention to orders*; when he will put up sword.

22. The reading ended, the adjutant again draws sword, faces to the commander, salutes and reports; when, on an intimation from the commander, he will face again to the line, and announce—"The parade is dismissed." At this, all the officers put up swords; the first sergeants will close ranks, and march off their respective companies; the adjutant places himself in the centre, in the rank of company officers; the latter face inwards, and close on the adjutant, when the senior captain orders: 1st. *Front FACE*: 2d. *Forward MARCH*. When within six or eight paces of the commander, they salute him with the hat and disperse.

23. When the extent of the line renders it difficult for the flanks to

hear the orders read at the centre, the commander may cause the ranks to be closed, and one or two companies on each flank to be thrown forward, before the caution "*attention to orders.*" In this case, the whole will be thrown back into the original parade order, before the annunciation "*the parade is dismissed.*"

24. All company officers will be present at evening parade, unless specially excused, or on some duty incompatible with such attendance.

25. The parade itself may be dispensed with for some special reason, as on account of the weather, or on account of fatigue consequent on a march, or resulting from some particular service.

26. After retreat, when the regiment is in quarters, the chiefs of squads will cause the arms to be placed in the arm-racks, with the accoutrements attached to them. At the same hour, when in camp, the arms will be lodged in the bell-tents or bells-of-arms, if the companies are provided with such tents; otherwise, the arms will be secured under the same cover that shelters the men. In camp, when the weather will permit, the arms will be stacked after the general fatigue that follows the *reveillé*, and sentinels placed over them, to be furnished by the police guard.

27. Ten minutes after *retreat*, or evening parade, a stable-call will be sounded for watering, dressing, and securing horses, and for spreading litter.

28. At a signal given, the music will again be assembled for *tattoo*; after which the rolls will be called the fifth time, as at the *reveillé*. As soon as dismissed, the chiefs of squads will cause the lights to be extinguished, when the men will retire to rest, and remain perfectly quiet.

29. The signal for *tattoo* will be sounded at eight o'clock in summer, and at nine o'clock in winter, except for midsummer, when it shall not be given sooner than thirty minutes after the evening parade is dismissed. During the latter period, the signal for the *reveillé* shall be made at sun-rise.

30. In these regulations the summer will be understood to commence on the 20th of March, and the winter on the 20th of September, each period embracing six months; and midsummer will be understood to embrace that period when the sun is above the horizon at seven o'clock, P. M.

#### ARTICLE 26.

##### *Arrests—confinements.*

1. At the head quarters of the regiment, the commander alone will have the power to order an officer into a state of arrest, except for mutiny, or wilful disobedience of orders, or for some other offence expressly designated, as in the — article of the rules and articles of war. Such arrests will be promptly reported to the commander for his approbation.

2. An application for the arrest of an officer, however formal, is not obligatory on the commander. He will exercise a sound discretion on the subject.

3. In ordinary cases, an officer above the rank of captain will be placed in arrest by sealed instructions to that effect, addressed to him. If under the rank of major, he may be placed in arrest by a verbal order, in any case. The sword of an officer in arrest need not be taken from his tent, or quarters, under ordinary circumstances. The arrest itself will sufficiently deprive him of the use of it.

4. An arrested officer may have larger limits than his tent, or quarters assigned him, on written application to that effect, addressed to the commander, at the discretion of the latter.

5. The arrest of an officer, or man serving immediately under another officer, will be promptly reported, or notified, to the latter, by the authority ordering the arrest.

6. Individuals placed in arrest may be released therefrom—1st. By the commander of the regiment, unless the arrest was ordered by higher authority. 2d. By the commander of the company, under the same restriction; and further, unless the individual be under guard, in which case the sanction of the authority that detailed the guard would be necessary. 3d. By the commander of the police guard, immediately after guard mounting, in the case of prisoners not confined by virtue of a written charge or accusation, signed by competent authority; the intention of this regulation being, that no individual shall be confined under guard longer than 24 hours at the same time, without such charge or accusation. 4th. By due course of trial.

7. On a march, company officers and non-commissioned officers in a state of arrest will follow in the rear of their respective companies, unless otherwise particularly ordered. Field officers and commissioned and non-commissioned staff officers under the same circumstances, will follow in the rear of their respective regiments. Other persons in arrest will be escorted by the police guard, or a detachment from it. This last class of prisoners will march with their coats turned.

8. The arms, &c. of non-commissioned officers and privates in arrest will be deposited with the first sergeant of the company. On a march they may be transported with the baggage of the company.

9. An officer under arrest will not make a visit of etiquette or courtesy to a superior, without express invitation; and in case of business, he would make known his wants by communication in writing.

#### ARTICLE 27.

##### *Messing.*

1. Bread and soup are the great items of a soldier's diet in every situation: to make them *well* is, therefore, an essential part of his in-



struction. Those great scourges of a camp life, the scurvy and diarrhœa more frequently result from a want of skill in cooking, than from the *badness* of the ration, or from any other cause whatever. Officers in command, and more immediately regimental officers, will therefore give a strict attention to this vital branch of interior economy, with a view to which, as well as to multiply their resources in time of siege or scarcity, they will do well to read the articles "baking" and "bread" in the different Encyclopædias.

2. The colonel will frequently cause the quartermaster or quartermaster sergeant to visit the bakery, and to inspect all the materials of which the soldiers' bread is made. It is also prudent to send occasionally a well qualified man to watch over the process of kneading, to guard against the mixing of cheap but deleterious substances with the dough, as damaged flour, &c.

3. No quartermaster or quartermaster sergeant can be deemed instructed in his duties, until he has followed up, once at least, the whole process of converting a barrel of flour into good bread.

4. A barrel, or 196 pounds of flour, when in dough, holds about  $9\frac{1}{2}$  gallons, or 80 pounds of water, 2 gallons yeast, and 3 pounds salt, making a mass of 295 pounds, which evaporates in kneading, baking and cooling, about 34 pounds, leaving in bread weighed, when stale, about 262 pounds.

5. The weight and quality of bread will be frequently and carefully verified. Its quality will be judged by color, smell, and still more, by taste.

6. Bread ought not to be burnt, but baked to an equal brown color. The crust ought not to be detached from the crum. On opening it, when fresh, one ought to smell a sweet and balsamic odour.

7. In making biscuits or hard bread, the evaporation is about fifty-four pounds, so that the barrel of flour yields but one hundred and eighty-two pounds of biscuits. Double baked bread loses, in like manner, about ninety-five pounds, and keeps much longer than that which is singly baked.

8. The troops ought not to be allowed to eat soft bread fresh from the oven, without first toasting it. This process renders it nearly as wholesome and nutritious as stale bread.

9. Fresh meat ought not to be cooked before it has had time to bleed and to cool; and meats will generally be *boiled* with a view to soup; sometimes roasted or baked, but never *fried*.

10. Fresh meat issued to the soldiers in advance, in hot weather, may be preserved by half boiling it; or, if there be not time for that operation, the meat may be kept some twenty-four hours by previously exposing it, for a few minutes, to a very thick smoke.

11. To make soup, put into the vessel at the rate of five pints of water to a pound of fresh meat; apply a quick heat to make it boil promptly; skim off the foam, and then moderate the fire; salt is then put in, according to the palate. Add the vegetables of the season one or two hours, and sliced bread some minutes before the simmering is

ended. When the broth is sensibly reduced in quantity, that is, after five or six hours cooking, the process will be complete.

12. If a part of the meat is to be withdrawn before the soup is fully made, the quantity of water will be proportionably less. Hard or dry vegetables will be put in earlier than is above indicated.

13. The choice of water for bread, soup, or for boiling vegetables, is essential. As far as practicable, limpid water, without scent or peculiar taste, and which dissolves soap freely, only will be used. River or rain water is preferable to that of springs, wells, or ponds. Hard or dry vegetables, as pulse, rice, and the like, cannot be well cooked in water that rests on, or passes over, calcareous earths.

14. Vinegar, particularly in hot weather, is essential to the soldier's mess. Great care will be taken to procure that which is of a good quality, and the surgeons will frequently be consulted on the subject of this article, as on every other, interesting to the health of the troops.

15. Messes will be prepared by privates of squads, including private musicians, each taking his tour, and the greatest care will be observed in scouring and washing the utensils employed in cooking. Those made of brass or copper will not be used, unless, in the case of copper, the vessel be well lined with tin.

16. The chiefs of squads, after *peas on the trencher*, will cause the messes of their respective men on guard to be set apart for them, until they are relieved, and send by the cooks the soup, &c. which may be due them after *roast beef*. These attentions will never be omitted in cases not provided for in par. 3, article 50, and par. 4, article 52.

17. The messes of prisoners will be sent to them in a manner similar to the above.

18. The difference between bread and flour being about — per centum, the troops will bake their own bread as often as practicable, and the saving operated thereby carried to the debit of the post or regimental fund. See par. 11 and 14 inclusive, article 41.

#### ARTICLE 28.

##### *Dress—personal cleanliness and neatness.*

1. The uniform of regiments is prescribed in article 65.

2. It is essential to cleanliness and health, that the soldiers should change their linen at least thrice a week in midsummer, and twice a week, (on Sundays and Thursdays) during the remainder of the year. See par. 30, art. 25.

3. All the parts of the dress will be kept in a state of the greatest neatness possible. Those which are of woollen cloth will not be washed.

4. White cloth clothes will be cleaned in the following manner: extend the garment on a table; sprinkle it with bran very dry, mixed with a little Spanish whiting; rub them in well, and beat the gar-

ment with a smooth roll or mallet until the dust disappears, then brush it.

5. Spots of dirt and grease, or stains, will be taken out by the application of pipe clay moistened with saliva from an empty stomach. Scratch the place lightly, when it is dry, and then beat it. If the spot remains, moisten it with a little soap and water, and then wash out the soap.

6. To take out spots of tar, dissolve the tar with fresh butter, and then proceed as in par. 5.

7. Spots on scarlet cloth are removed by the application of lemon juice or vinegar.

8. Buttons will be cleaned with chalk or Spanish whiting, moistened. To protect the cloth during the operation, the buttons will be separated from it by means of a thin board, having a long slit to receive the eyes, terminating in a circular aperture, through which the buttons are passed. Every squad will be provided with two such boards.

9. When on fatigue or police parties, the soldiers will not be permitted to wear their parade dress.

10. Laundresses employed to wash soldiers' clothes will be paid by the piece, according to a rate previously fixed by the council of administration. See par. 6 and 19, art. 41.

11. Non-commissioned officers, in command of squads, will be held more immediately responsible that their men strictly observe what is prescribed above; (par. 2 and 9 inclusive) that they wash their hands and faces daily—habitually, immediately after the *general fatigue*; that they, at the same time, shave themselves (if necessary) and brush or comb their heads; that, afterwards, those who are to go on duty, put their arms, accoutrements, dress, &c. in the best order, and that such as have permission to pass the chain of sentinels, are in the dress that may be ordered.

#### ARTICLE 29.

##### *Roster; or details of service.*

See article 49.

#### ARTICLE 30.

##### *Accoutrements.*

1. Buff or white leather will be cleaned as follows: First method: Take several handfuls of bran, and boil it in water, which afterwards draw off clear; make a paste of pipe clay with this water, and, when cold, apply it to the buff. Second. Take pipe clay and steep it a quarter of an hour in pure water; change the water, and dissolve a

sufficient quantity of soap in it. This mixture is recommended for the cleaning of buff or white leather. Third. Clean the buff with a brush dipped in clear water; leave it to dry in the shade; take white lead, steeped at least twenty-four hours in pure water, (several times changed, to deprive the lead of its corrosive quality) and, by means of a brush, put on as many coats of this whiting as may be necessary, taking care to let each coat dry in the shade before another is added. The whiting should be tempered with water so as not to be too liquid or too thick.

2. Cartouch boxes will be kept polished with varnish, or blacking. The former is preferable, as the polish it gives will last several years, if protected by a cover, or case, and occasionally aided by the application of a little oil to the inside of the leather.

3. To make blacking, melt a pound of white bees' wax, and add to it about an ounce of gum arabic; pour a part of the wax on an ounce of ivory black, and mix them well together; place the whole on the fire; stir the composition gently until it simmers, then strain and mould it.

4. If white wax cannot be had, yellow may be substituted; but in this case the quantity of gum arabic will be doubled; that is, something less than two ounces will be necessary. When ivory black cannot be had, that procured from grape vines may be substituted.

5. If the cartouch box is new, the entire surface will be scraped, and afterwards rubbed smooth with pumice stone, to receive the blacking, which will be laid on strongly and equally, exposing each coat to a light blaze from a few very dry straws, before another is applied, taking care to warm the wax, and not the leather. Each coat of blacking will be rubbed in with a polished bone, or some other hard smooth substance, and when the last coat is quite even, polish it with a piece of fine, smooth cork; then, when cold, wipe the surface with a roll of linen, or fine cloth; and, finally, rub it lightly with the palm of the hand, to make it shine.

6. Old boxes, which are greasy, or which refuse a polish, will be scraped with a knife, after exposing them to a blaze, as above, when they will be polished anew.

#### ARTICLE 31.

##### *Preservation of Arms.*

1. Fire arms are very liable to be damaged, or rendered unfit for service, under the operations of dismounting, cleaning and re-mounting; to guard against which, with the exception of the flint-screw, not a screw nor a pipe will be moved by the soldier, without express permission from the proper authority; and the non-commissioned officers of squads will be habitually charged with the care of the screw-drivers, ball-screw, and other similar implements, appertaining to the respective squads.



2. If there be an armourer present, he alone will be entrusted to dismount, or take to pieces the lock, or to remount it. A hand-vice will be necessary in this operation, and great care required in the compression of the springs.

3. Anvil dust well sifted through an old stocking, and moistened with sweet oil, or emery, will be employed to remove rust, and very soft wood for rubbing or polishing. In cases of necessity, brick dust, sifted and moistened with oil, may be substituted for emery or anvil dust.

4. When the barrels of the arms are not brown, great care will be taken, in rubbing them, to prevent bruising or bending. The barrels ought never to be rubbed lengthwise, particularly without being laid flat on a board or table.

5. Brass mountings will be cleaned with fine brick dust moistened with vinegar, and all the parts of the firelock will be carefully wiped after cleaning.

6. The bore of the firelock will, at all times, except in exercise, be secured against the weather by means of a tompion. After firings, it will be necessary to wash it out, to wipe it dry, and then to pass a bit of cloth, slightly greased, to the bottom.

7. In these operations, a rod of wood, with a loop in one end, is to be preferred. The ramrod is never to be employed if it can possibly be avoided.

8. The soldier, to secure his firelock against approaching dew or rain, will carefully oil the metallic parts, wiping the oil off when the weather brightens. A rind of fresh pork, without salt, may be well substituted in this operation for a cloth steeped in oil. See par. 26, art. 25.

9. Under the same circumstances, he will place the lock cover or case, made of leather, as a particular security for the lock.

10. With a view to action, it is important that the fixture of the flints should be carefully examined. They will be fixed with a view to *effect*, more than to uniformity; thus, it may be frequently necessary to place the flat side up, on account of the relative height of the cock and hammer.

11. The thick end of the flint will always be enveloped in a bit of sheet lead, cut to a shape corresponding with the part of the cock which receives it. After being closely screwed, the cock ought to be let down gently, to ascertain whether the edge of the flint strikes fully and equally the surface of the hammer. The lock will never be *snapped* without express permission. The flint ought to strike at the distance of about a third of the length of the hammer from the top.

12. In firings, the soldier will frequently cast his eye on the flint, and promptly correct any derangement which may take place in its fixture.

13. For exercise, each soldier will keep himself provided with a bit of wood as a substitute for a flint.

14. The following vicious practices, connected with the substance

of this article, are not to be permitted or tolerated:—using the ramrod to turn the flint-screw; heating the ramrod, under the pretence of enlarging its canal in the lower part of the stock; cutting or filing any part of the stock, under the pretence of making the firelock *tell* or resound in exercise; putting oil on screws which *let into wood*, instead of tallow; displacing the butt-plate and the trigger-guard,—they ought to be cleaned on the stock; polishing the barrel with the ramrod; sticking the bayonet, fixed or unfixed, into the ground; and, finally, all other similar practices which go to injure the firelock or any of its parts.

#### ARTICLE 32.

##### *Knapsacks and havresacks.*

1. If these be too heavy, the soldier will be fatigued in marching, and encumbered in exercise or action. If they are taken off, on approaching the enemy, the loss of them is almost certain, whether he pursues or is pursued. They therefore will be *worn* on such occasions, unless the contrary be expressly ordered by the highest in rank in the field, and to remedy the other evils or inconveniences, those equipments ought to be light, of a convenient form, and so adapted to the body as to give the least possible fatigue or constraint.

2. Knapsacks, valises, &c. will be carefully and frequently inspected, and if found on a march to contain any thing beyond the *necessaries* hereinafter mentioned, such excess will be thrown away.

3. The necessaries which will be allowed to each knapsack are as follows:—two shirts, a pair of socks or stockings, a handkerchief, a pair of shoes, a blanket, a forage cap, a fatigue apron, a spoon, some blacking, some whiting, a bit of greased cloth, and, in latitudes or seasons in which linen pantaloons are worn, one pair of pantaloons.

4. There will be allowed, in addition, per squad, four brushes, a shaving case, a flask of oil, two button-boards, some cork, and a polisher (for cartouch-boxes) and four ball-screws, to be distributed among the knapsacks of the squad. Knives, combs, and screw-drivers, may be carried in knapsacks, but, near the enemy, the screw-drivers ought to be more at hand.

5. The necessaries will be put into the knapsack in such manner that those most in use, or first wanted, may be at the top. Each garment will be rolled, or folded and compressed into the smallest space. The blanket will be folded to a size corresponding with the flap, and placed between it and the knapsack.

6. Great coats, allowed the troops in certain latitudes, will, when not actually worn, be neatly rolled, (beginning at the collar) strapped, and buckled on the knapsack, in an uniform manner. Small tin kettles, or stew pans, will, also, be buckled on the knapsacks on a march. Those of a larger size will be carried in the hand by the privates (in rotation) to prevent injury to the dress or appointments.

7. Havresacks will be strictly confined to their proper destination, to wit:—the reception of provisions issued in advance. To prevent blood or grease from injuring the dress through the havre-sack, the soldier will wrap his meat in cloth, paper, or leaves, and place his bread on the inner side. Havresacks will be frequently washed.

#### ARTICLE 33.

##### *Colors—Drums.*

1. In the night, the colors or standards will always be kept furled, and cased in oil-cloth, and also during the day, except when approaching the enemy, at reviews, inspections, and on other occasions of show.

2. In barracks and cantonments, they will be lodged in the quarters of the commandant. At all other times, when not carried, a sentinel will be placed over them, with strict instructions to prevent removal, handling, or injury. This sentinel will be furnished by the police guard.

3. Drums, when not slung for *beating*, will be cased, and at all times protected against the weather as far as practicable. At the same time their cords will be slackened.

4. The drummers will be furnished with a piece of sheep-skin, dressed with the wool on; (the color of the wool to correspond, as nearly as may be, with that of the pantaloons) as a guard to the left thigh, and fastened around the waist, and at the knee, by means of straps and buckles.

5. When in camp, the colors will be planted ten paces in front of the centre of the regiment, and the drums piled up behind them. See par. 11, art. 47.

#### ARTICLE 34.

##### *Ammunition.*

1. Service ammunition, issued to the troops, will be charged against them, and, to prevent waste or injury, the boxes will be inspected twice a day, and particularly at evening roll-call. Each man will be made to pay for the rounds expended without orders, or not in the way of duty, or which may be damaged by his neglect. Ammunition will frequently be sunned.

2. After guard dismounting, the arms will be discharged at a target erected for the purpose, and if there be not one, the charges will be drawn, and the powder and ball delivered over to the quartermaster by the non-commissioned officers of the squads or guards.

3. At no time, and under no pretence, are the arms to be left charged when the men are off duty, or not in expectation of an attack.

as the most fatal effects would frequently follow a neglect of this injunction.

4. Ammunition issued for exercise will be carefully inspected, to guard against accidents. This security will be much aided by making up blank cartridges in paper of a color different from that used for service ammunition.

#### ARTICLE 35.

##### *Marking of public property, and of individuals' necessities.*

1. Arms numbered by the manufacturer may be sufficiently designated by such number, without other marks.

2. United States' horses and draft cattle, in the use of a regiment, or of individual officers, will each be branded with the letters "U. S." on some conspicuous part. The same letters will be placed on public carriages of every description, and on these the number of the regiment will be added to the letters "U. S."

3. Knapsacks, havre-sacks, water flasks, (or canteens) tents, and other camp equipage, will be conspicuously marked with the number of the regiment, the letter of the company, and a *running* number for each description of article. The tents of the field and staff officers will each be similarly marked, with the rank of the occupant.

4. The same marks as in the case of knapsacks will be placed on the *inside* of accoutrements.

5. In charging the foregoing articles of property, or of equipment, in the proper books, the *marks* will be noted.

6. All soldiers' necessities will be durably marked, as far as practicable, with the number of the regiment, the letter of the company, and the names of the individuals to whom they appertain.

7. Officers' trunks, cases, portmanteaux, and the like, will also be particularly designated by the names and additions of their owners.

#### ARTICLE 36.

##### *Injunctions in respect to standing interior regulations, or orders.*

1. No officer in the temporary command of a regiment (or garrison) shall make any interior regulation, or standing order, for the government of it, which shall contradict those established by the colonel, (or, in the case of a garrison, the permanent commander) without the express approbation of the general, or other officer next in command.

2. The same principle will be applied to companies.



## ARTICLE 37.

## BOOKS.

1. *Subdivision.*

Besides the roster of officers and companies, the adjutant, under the direction of the colonel, and assisted by the sergeant major, will be charged with the keeping of the following books, viz:

1. *General order book.* This will contain the entry of all orders, circular letters, &c. from any authority exterior to the regiment. A proper number of pages at the end of the book will be appropriated to an index, showing the *date* and *purport* of each entry; by whom or what department issued; date of reception and page of entry.

2. *Regimental order book*, for the entry of *regimental* orders, with an index.

3. *Description and succession of officers.* This book will contain the names by rank, of the officers, showing the dates of appointments or promotions; dates and places of birth; dates of first commissions in the army; and to whose vacancy each has succeeded. It will be kept in a regular form, with a column for *remarks*, to show how the officers cease to be members of the regiment. A part of the book will be appropriated to the registry of the non-commissioned officers, according to rank, and an alphabetical index of the names of the whole will be given at the end of the volume.

4. *Description of enlisted soldiers.* This volume will, according to a regular form, embrace the names of all persons in the regiment, other than officers, following the order of enlistments, with the dates and terms of enlistments; from what corps received; ages; descriptions of persons; places of birth; and former trades or occupations. In a column for *remarks* will be noted promotions, internal transfers, and how each man ceases to be a member of the regiment. Index as in number 3.

5. *Letter book*, which will contain entries of all official letters, written by the commanding officer, or by his orders, relative to the matters of this subdivision. Index at the end.

6. *Return book.* This will contain exact copies of all monthly returns, made up at the beginning of each month, for the preceding month, and according to the prescribed form. The book will be printed in blank.

7. *Morning reports.* Apply what is said under No. 6 to this book, substituting *morning reports* for "monthly returns."

8. *Registry of furloughs*:—that is, of all furloughs. One part of the book to be appropriated to the officers, and the other part to enlisted soldiers. The entries to give the name of each person to whom leave of absence is granted; by whom; for what period; and the place at which orders may find him;—to which will afterwards be added, the date of his return to the regiment or duty.

9. *Description of deserters*; to be printed in blank, according to a prescribed form.

10. *Court-martial book*; to contain a correct entry of the proceedings of every regimental court martial, to be signed by the president thereof, and countersigned by the commander of the regiment, as approved, with a copious index at the end.

11. *Registry of deceased soldiers*. To ensure accuracy and fidelity in the settlements with their relatives, a book of this denomination will be kept, into which will be inserted the name of the soldier; the place, date and cause of his decease; the amount of his private effects, and the sums due him at the time of decease, in pay proper, and extra pay for public work done according to regulations.

12. *Record book* will state the period and circumstances of the original formation of the regiment; means by which it has been, from time to time, recruited; stations at which it has been employed; periods of arrival at, and departure from, such stations; the battles, or other military operations, in which it has been engaged; together with any particular achievement; names of officers killed, and the name of any individual, without regard to rank, who may have, in a peculiar manner, distinguished himself on such occasions: the badges, or devices which the regiment may be permitted to bear; any particular alteration in clothing, arms, accoutrements, colors, horse-furniture, and the like, with dates, the alterations which may be made in its *composition*, as the introduction or suppression of flank companies, and the like, and in its *establishment* in respect to legal complement. With a view to historical accuracy, all those entries will be made under the eye of the commander, and, from time to time, attested by him.

13. *Description of horses*. This book will contain a registry of the age, height, color, &c. of the United States' horses in the use of the regiment; the names and residence of the persons of whom purchased; or, if received from other regiments, or some branch of the staff, the *fact* will be specified, together with date of reception. In a column for *remarks* will be shewn how each horse is lost, or disposed of. This book will not be necessary in foot regiments. The few public horses, &c. employed by them, occasionally, will be registered by the quartermaster.

These thirteen books will be of two widths, or 12 inches for the larger size, and about 8½ for the smaller; and of two lengths, or 17½ inches for the first, and 13 inches for the other. Each book will contain a quantity of paper, according to destination.

For security, and the convenience of portage, the thirteen volumes will be put up in a strong case, of suitable dimensions, with spare spaces, and of the following form:

PAPER, &c.				FILES OF PAPERS.	FILES OF PAPERS.								
Space for blanks, &c.						3	5	7	8	9	10	11	12
1	2	4	6		Say of 2 quires.	Say of 2 quires.	Say of 2 quires.	Say of 1 quire.	Say of 1 quire.	Say of 3 quires.	Say of 1 quire.	Say of 1½ quires.	Say of 1 quire.
											</		

The door will be made to turn on hinges, at the bottom, and thus serve as a portable desk.

The placing of the figures in the above form, shews the length of the books, represented by those figures.

## 2. Subdivision.

In a similar manner, the quartermaster will be charged with the keeping of the books described in this subdivision.

1st. *An account of clothing*; 2d. *An account of accoutrements, arms, and ammunition*; 3d. *An account of fuel, forage, and contingent disbursements*; 4th. *Account current book*, shewing, in detail, the distribution of all articles of supply, made by the quartermaster, to the several companies. 5th. *Letter book No. 2*, will be kept in the artillery, by the conductors of artillery. Those books will show how each article is distributed or expended, and the last book will contain entries of all letters written by the commanding officer, or by his orders, relative to those matters.

## 3. Subdivision.

The books to be kept by the paymaster are as follows; 1st. *Account-book*; showing the receipt and expenditure of all public money confided to his care; 2d. *Letter-book*; to contain entries of all official letters written by the commanding officer, or by his orders, relative to the business of the pay office.

## 4. Subdivision.

For the books to be kept by the surgeon, see art. —

5. *Subdivision.*

The following books will be kept by every commander of a company in the service. 1st. *Memorandum book*; in which each soldier will be debited with the issues made to him; that is, with such articles as he is to account for, by *exhibition*, under the penalty of paying for them, and such as he is, as a matter of course, to pay for, by stoppage from his pay. 2d. *The ledger*; to be made up in the form of debtor and creditor, at the end of every second month in the year; that is, just before every pay day, with a view to a general settlement. All the entries made in the memorandum book will be fully posted in this, which will be kept in two parts; the first appropriated to such issues as the soldier is to pay for, as a matter of course; and the second to those for which he is liable to account, in the case of loss or injury by reason of neglect or misconduct. On ascertaining, by the sentence of a court-martial, or the admission of the soldier, such loss or injury, the amount, in dollars and cents, will be carried over to the debtor side of the first part, which will also embrace all other sums the soldier may be so sentenced to pay or refund. Each issue, and each settlement, will be signed by the soldier, as an acknowledgment of its correctness. 3d. *Order book*; this will contain entries of all orders required to be read to the men; also, an account of the men furnished for duty, by detail. 4th. *Description book*, to correspond, in respect to the company, with No. 4, first subdivision. 5th. *Captain's book*; this will exhibit the supplies of every kind which are received, from time to time, by the commander on account of the company—balanced as often, by abstracts of issues or expenditures taken from the ledger. 6th. *Description of horses*; for troops or companies furnished with horses. This book will correspond, in respect to the company, with No. 13, 1. Subdivision.

## SECTION IV.

## ECONOMY OF DIVISIONS, DEPARTMENTS, AND POSTS.

## ARTICLE 38.

*Organization of Departments.*

1. In order to embrace the regular and militia forces of the United States, in the service and pay of the general government, and with a view to the national defence, the President of the United States will, from time to time, arrange or designate the limits of geographical commands or departments, to correspond with the several military frontiers and the distribution of the troops.



2. Besides the troops of the line serving therein, there will be assigned to each commander of a geographical division or department a number of general staff officers, proportioned to circumstances; but the officers of the corps of engineers, of the ordnance, of the topographical engineers, who may be serving within such division or department, (and also detachments of the United States marines,) and not assigned as above, shall not be diverted from their ordinary or peculiar duties, except in some unforeseen case of public exigency. See par. 2. art. 5.

3. Besides the inspections made from division head-quarters, the commandant of each department shall, if practicable, (which practicability will always be presumed, unless otherwise specially decided by the general of division) make two circuits of inspection and review yearly, embracing all the posts within his command, unless specially permitted by the said general to substitute, in respect to some of the posts, the assistant inspector general, or some other well qualified officer, having at least the rank of major.

4. The first of these circuits will be made during the three spring months, and the second during the three months of autumn, the objects of which will be: to ascertain, critically, the state of the several bodies of troops under the heads of discipline, police, instruction, service and administration, within the command; to ascertain whether the several branches of the administrative departments of the staff, under his command, be well executed; to point out, on the spot, all defects or irregularities under either of the above heads, and, in case the inspecting officer be superior in rank to the delinquent, to cause him to be arrested, or (according to the nature of the case) to give such other orders as may be necessary to correct, promptly, the defect or neglect observed.

5. If the inspecting officer be junior to the commander of the post, or corps, where the delinquency, in any of the foregoing cases, occurs, the commandant of the department will apply the proper remedy on receiving the report of the particular inspection.

6. Other objects of these tours of inspection, whether made from division or department head-quarters, will be, to make the commander of the division or department and the government, well acquainted with the frontier defences of the command; with the repairs which these may, from time to time, require; the new works or posts which may be necessary under probable contingencies; the resources of the neighbouring country in subsistence, forage, means of transportation, &c. &c., and, finally, with the communications and distances between proximate posts by land and water.

7. The terms *police, discipline, instruction, service, and administration*, will be understood, *technically*, as follows:—

8. **POLICE**, interior and exterior. 1st. *Interior police*: system of *prevention*, to assure the presence, comfort, healthiness, and efficiency, of the troops or corps. Guards, patrols, fatigues, roll-calls, visits, inspections—are its *means*; and the following may be enumerated

more in detail among its *objects*:—the preparation of the men's messes; the condition of camps, quarters, camp-equipage, arms, ammunition, equipments, clothing, and other necessities in use; the condition or keeping of military horses, &c. their equipments, harness, stables and forage; the condition of all carriages in the use of the army; the order or condition of hospitals, prisons, arsenals, magazines, store-houses, and sutler's shops or stalls; and, finally, the condition of the books or papers (which each corps and company ought to possess) containing the regulations, orders, &c. for the government of the troops or army. 2d. *Exterior police* pre-supposes a state of war, and regards the tranquillity of the camp or post against false alarms; the exclusion of improper persons, as spies; the conduct of suspicious persons as deserters, the bearers of flags of truce, &c.; and, finally, it regards the safety of the camp or post against *surprises*.

9. **DISCIPLINE.** Correction, or the enforcement of subordination; the award and infliction of punishment consequent on a breach of that subordination, that is, consequent on a neglect or breach of some duty. This strict sense is employed in contradistinction to the general or popular one which makes *discipline* include also police and instruction.

10. **INSTRUCTION.** This is divided into *theoretical* and *practical*. 1st. By theoretical instruction will here be understood, more particularly, the study or knowledge of the laws, regulations, and orders, for the government of the army and the regulations of exercise for the different arms of service, as the cavalry, infantry, &c. The scientific instruction and general attainments of the superior officers, engineers, and others, however indispensable or useful, are not within the immediate contemplation of these regulations. 2d. *Practical instruction*; mode of, and dexterity in, executing the several objects of theoretical instruction.

11. The theoretical and practical instruction of both officers and troops will be exemplified to the inspecting officer, in many particulars, by the prescribed reviews and inspections, (see art. 9 and 39,) and he may further require the performance of any of the duties mentioned in par. 1, art. 17, and, in fact, will generally require such performance in respect to field trenches, abattis, gabions, fascines, ovens, and kitchens, (specimens of each may be prepared before the arrival of the inspecting officer, per company) and also in respect to *tents*. Theoretical instruction, understood as above, and which cannot be practically exemplified, as in the case of abattis, tents, &c. with convenience, may be put to the test by questions raised for the purpose, touching any prescribed duties under the laws, regulations, &c. for the government of the army or some particular corps thereof; as thus:—What is the first duty of an officer commanding a grand guard after taking up his post?—Commanding the escort of a convoy; and being attacked,—what would be your dispositions for defence?—Who are to be considered prisoners of war? &c. &c. Indeed it is only by questions of this kind, put to the younger officers pro-

miscuously, that one can be assured, in time of peace, that they have studied those regulations, &c. which are peculiarly applicable to a state of war. But no superior officer shall thus be interrogated by any junior, although the latter may be the particular inspecting officer.

12. **SERVICE.** By this term will be understood; 1st. The *distribution* of duty among the integral parts, or among the individuals of the same army or corps, as by the roster, including the *execution* of the duty; 2d. The assignment of duty according to its nature, as among the several branches of the staff, or among the several arms of service, including its *execution* as above,

13. **ADMINISTRATION**, in its comprehensive sense, will be understood to mean, the just direction and economical application or expenditure of the several sums of money appropriated by Congress for the army, or military defence of the country on land. These objects are enforced by a good system of responsibility for the several paying or administrative departments, or officers; securing alike fidelity to the troops and to the government.

*Interior administration of corps*—a branch of the above is here more immediately under contemplation. Thus limited, it particularly regards the regularity of payments made to the troops; regularity in issues or supplies of subsistence, clothing, and all other allowances accorded to the troops; and, finally, the *quality* of those articles.

14. A detailed report of each circuit of inspection and review will be made to the adjutant and inspector general of the army, through the general of the division, in the case of the commandant of the department, including all the posts or bodies of troops, under the several heads of police, discipline, instruction, service, and administration, also including every thing *new* or important relative to the objects mentioned in par. 6, above.

15. The report of the first circuit will be despatched in time to reach the War Department by the 15th day of the succeeding July, and that of the second circuit by the 15th day of the succeeding January.

16. The customary place for the head-quarters of each department will be designated by the general of the division, and, previous to a tour of review and inspection, the commandant will report to the War Department, and to the general of the division, the time at which he expects to commence the tour; the order in which he proposes to visit the posts; and the probable time of *arrival*, and *detention* at each. He will also take such measures, or leave behind him such instructions, that extraordinary communications may reach him with the least delay practicable, whilst absent from his habitual head-quarters.

## ARTICLE 39.

*Form and course of Inspections, &c.*

1. The inspection of the troops will generally be preceded by a review, the form of which has been prescribed under article 9. The present example embraces a regiment of infantry. The inspecting officer, and the field and staff officers, will be on foot, that is, in the case of a foot regiment.

2. The battalion being in the order of battle, and all the men of each company standing contiguous to each other, on an intimation from the inspector, the colonel will cause the regiment to break into open column of companies, the right in front, each company entire. He will next order the ranks to be opened, at which the colors and color guard will, under the conduct of the adjutant, be placed ten paces ahead of the column.

3. The colonel, seeing the ranks aligned, will add: *Officers and non-commissioned officers, to the front of your companies, MARCH*; on which the officers will form themselves in one rank eight paces, and the non-commissioned officers in one rank six paces, in advance, along the fronts of their respective companies, in the order of rank, the highest on the right, and the lowest on the left; the pioneer and music of each company at the same time take post two paces behind the non-commissioned officers.

4. Seeing the last order in a train of execution, the colonel will command—*Field and staff—to the front, MARCH*. The commissioned officers thus designated will form themselves in one rank six paces in front of the colors, and in the following order, beginning on the right:—Lieutenant-colonel, major, adjutant, quartermaster, paymaster, surgeon, surgeon's mates. The non-commissioned staff form themselves in a similar manner, two paces in the rear of the preceding rank. The band, if there be one, will be formed in one rank ten paces in the rear of the column, the chief musician 4 paces in its front.

5. The colonel will now take post on the right of the lieutenant-colonel; but such of the field officers as may be superior in rank to the inspector, will not take post as above.

6. The inspection will commence in front. After inspecting the dress and general appearance of the field and commissioned staff under arms, accompanied by these officers, the inspector will pass down the open column, looking at every rank in front and in the rear with a view to the same objects, viz. dress and general appearance under arms.

7. The colonel will now command: *Order arms; stand at EASE*:—for the whole column; when the inspector will proceed to make a minute inspection of the several ranks or divisions in succession, commencing in front.

8. On approaching the non-commissioned staff and the band, the adjutant will give the necessary orders for the inspection of boxes.



In like manner, in the case of the color guard, &c. he will give the orders for arms, boxes, and knapsacks. To enable the color bearers to display their knapsacks, after bringing the colors to an order, (as arms are brought to an order after inspection) they will be planted firm in the ground. This division being inspected, the adjutant may direct the arms to be piled, and the non-commissioned officers to disperse, until the colors are to be escorted back to the place from which they were taken. The non-commissioned staff may be dismissed as soon as inspected.

9. As the inspector successively approaches the companies, each captain will command:—**ATTENTION**; *Spring*—**RAMRODS**; *Shoulder ARMS*; *Open*—**PANS**; when the inspector will commence with those of the non-commissioned officers, and go through with the whole company. The captain will then add, *open* **BOXES**; (see “inspection of arms,” *Field exercise, &c. of Infantry*).

10. The boxes having been inspected, the captain will next command:—**ATTENTION**; *shoulder arms*; *front rank, right about, FACE*; *rear rank, close order*—**MARCH**; *trail ARMS*; *pile ARMS*; *front rank, right about FACE*; *rear rank, open order*—**MARCH**; *unsling KNAPSACKS*; *stand-at-EASE*.

11. The knapsacks will be placed at the feet of the men, the flaps from them, with the great coats on the flaps, and the knapsacks leaning forward on the great coats. In this position, the inspector will examine the contents of the whole, or of as many as he may think necessary, beginning, again with the non-commissioned officers, noticing, in passing, the tools, &c. of the pioneers, and the drums of the musicians.

12. As the inspector passes the companies, they will, successively, under the orders of the respective captains, re-pack and re-sling knapsacks, resume their arms, and file off to their tents or quarters, excepting the company that is to re-escort the colors, which will await the further orders of the colonel.

13. In an extensive column, some of the rear-most divisions might, after the inspection of dress and general appearance, be permitted to pile arms, awaiting the approach of the inspector. In this case, such divisions would resume the position above supposed before the minute inspection.

14. If the troops are to be mustered with a view to payment, it will be done after the inspection, when the injunction contained in the latter part of par. 23, art. 44, will be strictly observed. The original or proof roll of each company by which the muster is made, with the remarks and verifications in the hand writing of the inspector, will be the check on the duplicates or triplicates to be made out by the captains for the signature of the mustering officer.

15. The inspection of the troops ended, the field and staff will next accompany the inspector to the hospital, magazine, arsenal, quarters, sutler's shop, &c. &c. The captains and subalterns will precede him in his visits to their companies and sections respectively.

16. The hospital is at all times an object of the most particular interest. No neglect or defect, under this head, will be overlooked or tolerated.

17. The surgeon will show the inspector the wards, the patients, bunks, dispensary, kitchen, &c. &c. The whole will be carefully inspected.

18. On entering the company quarters, the inspector will be received by the men arranged around their chambers, standing. At the word ATTENTION, given by the non-commissioned officer of the squad, the men, if in uniform, will compliment the inspector by the hand salute; if not in uniform, by taking off foraging caps.

19. The inspector will examine the general arrangement of the interior; the bunks and bedding; cooking and table utensils, &c. &c.; and afterwards the exterior neatness of the quarters.

20. The adjutant will cause the sergeant-major to exhibit to the inspector the regimental office, or books and papers. In like manner, each captain will cause those of the company to be exhibited to the inspector whilst he is making the tour of the quarters.

21. In the inspection of the quarters, &c. as well as in that of the troops under arms, the inspector will make written memoranda, on the spot, or cause one of his staff to do so, of every defect or neglect observed, together with any particular excellence that may strike his attention.

22. On these memoranda will be founded the censure or commendation which may afterwards be given in orders; and also the semi-annual confidential report made to the War Department.

23. The commander of every regiment, or garrison, will make similar inspections of hospitals, magazines, quarters, &c. &c.; also of arms, clothing, &c. monthly, and as much oftener as may be deemed necessary.

24. Captains will do the like on every Sunday morning, and the lieutenants of sections on every Thursday morning, each in regard to his company or section respectively; and the surgeon will make a thorough inspection of his hospital, &c. every Sunday morning.

25. Besides those *inspections*, daily *visits* will be made to the quarters of their men, or patients, by the officers mentioned in the preceding paragraph respectively; and the colonel, or other commander, will make frequent general *visits*, in the course of the month, to the men's quarters, the hospital, guard-house, &c. &c.

#### ARTICLE 40.

##### *Troops in quarters.*

1. The interior police, service, &c. of regiments and companies, have been prescribed in section 3, which will apply, as far as it goes, (with a few obvious exceptions,) to garrisons, or other troops in

quarters. Under this article will be noticed some circumstances peculiar to the latter; that is, to troops in barracks, or cantonments.

2. The chambers in the same building, or set of buildings, will be numbered in the same series, and the numbers inscribed on the outer doors.

3. The name of each soldier will be labelled on his bunk, in the place the most apparent, and the number which he bears in his squad, (see par. 3, art. 35) placed against his firelock and accoutrements. The arms and accoutrements of non-commissioned officers will, in like manner, be designated by the rank and name of each.

4. Fire arms will be habitually placed, (the cock let down, and the bayonet in its scabbard) in the arm-racks; the accoutrements suspended over the firelocks; swords hung by the belts, on pegs.

5. The knapsack of each man will be placed on the lower shelf, at the foot of his bunk, ready to be slung and charged with his effects, excepting such as are habitually in use. The latter will be arranged and placed as follows: The great coat, rolled and strapped, on the same shelf; the coat and vest folded, wrong side out, under the knapsack; the cap in its labelled case, on the second or upper shelf; shoes, after being well cleaned and tied together, soles out, hung on a peg over the bolster.

6. Dirty linen, &c. will generally be kept in an appropriate part of the knapsack; the men not to be allowed to put any article whatever under the bedding.

7. Cooking and table utensils, after being well cleaned, will be arranged in closets or recesses. Blacking, whitening, and brushes, will be placed as much out of sight as practicable, the whitening pot well covered. When there is a necessity of keeping a supply of fuel in the chambers, it will be put in boxes near the fire places.

8. Bread will be placed on shelves prepared for the purpose. Fresh meat hung out at the back windows on hooks—but not in the sun.

9. When circumstances do not permit a strict observance of the foregoing dispositions, the *spirit* of them will be adhered to, in order to establish a convenient uniformity in all the chambers,—uniformity which facilitates inspections; favors neatness and comfort; and enables the men to find promptly all their equipments and effects. Accordingly, as often as the troops change quarters, a chamber will be established as a model for the others.

10. Unless under special circumstances, Saturdays will be more particularly appropriated to police. The chiefs of squads will cause bunks and bedding to be over-hauled; floors to be washed, sanded, or scoured, according to orders; tables and benches to be scoured; arms to be cleaned; accoutrements to be whitened and polished; and every thing else to be put into the most exact state of order and neatness.

## ARTICLE 41.

*Sutlers—Council of administration.*

1. The comfort or well-being of the troops, particularly of those at remote stations, and the honor of the service, require, that the business of sutling should receive a character of permanency, fairness, and respectability, which heretofore it has but infrequently possessed. In this view it is proper to give to sutlers a definite and respectable rank, and to subject their business to fixed and uniform regulations; in order to secure competent supplies of necessities for both officers and men; fairness of dealing with the latter; a moderate but certain profit to the sutler, and a freedom from imputed *secret interest* on the part of those who supervise this important branch of interior economy.

2. Accordingly, there shall be one sutler for every military post, who shall have the exclusive privilege of sutling with the troops thereof, and (to cause him to be respected by the enlisted soldiers) a rank assimilated to that of cadet,—but the said rank not to entitle him to pay or emolument in any shape as cadet, nor subject him to be commanded beyond the immediate line of his duties, nor to entitle him to command except in defence of his person or property.

3. The appointment of sutlers will be made by the Secretary of War, on such recommendations as he may deem sufficient; but in case of non-appointment, accidental vacancy, or suspension, the commanding officer of the post may appoint.—Such appointment to be immediately reported to the Secretary of War, and to remain valid until his pleasure be made known thereupon.

4. Every sutler shall hold his appointment during the pleasure of the Secretary of War, for the time being; but besides his amenability to a general court-martial, for capital offences, he may be suspended or wholly dismissed from the privilege of sutling, by the sentence of a garrison or regimental court-martial, duly approved by the officer ordering the court,—on proof of a violation of any of the provisions contained in this article, or other conduct prejudicial to the troops, or to good order and military discipline;—the punishment to be, suspension or dismissal, according to the nature and degree of the offence; to which may be superadded, in the case of conviction for conduct highly prejudicial to the troops, a fine not exceeding twenty five cents, for every enlisted soldier at the post, and imprisonment until the fine be paid.

5. For the exclusive privilege accorded to the sutler above, he shall be assessed, and held to pay at the end of every two months, or oftener, as may be determined by the council of administration hereinafter mentioned, at the rate of not less than ten cents and not more than fifteen cents per month for every officer and enlisted soldier serving at the post:—the monthly average number of such persons to be determined, equitably, by the said council.



6. For the purpose of carrying the provisions of this article into effect, and such others as may be prescribed, the commander of the post shall, from time to time, but at least once in every two months, call a *council of administration*, to consist of the three individuals next in rank to himself, and a *fourth* to act as secretary;—which council shall cause its secretary to minute in a book to be kept for the purpose, its proceedings and transactions—to be submitted to the commanding officer for his approval or disapproval, and orders or remarks thereupon.

7. If there be not a sufficient number of officers, under the commander, to constitute the council, senior non-commissioned officers may be substituted to make up the deficiency.

8. If the commanding officer approves the acts and decisions of the council, the general result will be published in orders for the government of all persons concerned. If he disapproves, and sends back the proceedings, and the council, after giving due weight to his objections, shall unanimously adhere to the first decision or decisions, the same shall be considered as final, and be published in orders, as in the case of approval by the commanding officer.

9. The secretary of each meeting, after entering the whole proceedings of the council, in the council book, together with the final order of the commanding officer thereupon, will deposite the book with the latter. The proceedings, &c. will be authenticated by the signature of the president and secretary of the council. In like manner, the approval, or objections of the commanding officer, entered in the book, will be signed by his own hand.

10. The council shall have power, from time to time, to prescribe the quantity and kind of clothing, small equipments, or soldiers' necessities, groceries, &c. &c. which the sutler may be held bound to keep on hand, to supply the probable wants of the officers and men at the post;—to examine the sutler's books and papers, and, on actual inspection, to fix the tariff, or prices of the said goods, or commodities;—to inspect the sutler's weights, measures, &c. &c.

11. The assessments and fines imposed on, and collected of, the sutler, under paragraphs 4 and 5 above, shall constitute the basis of what shall be called the *post fund*, which fund shall be under the exclusive administration of the council.

12. The money will be collected by, and held in the hands of, a treasurer, who shall be the paymaster, if there be one at the post—otherwise, some discreet officer, to be appointed by the commander.

13. The treasurer shall open an account with the fund, subject to the inspections of the commander and the council, and make payments, or purchases, on the warrants of the commander; which warrants shall only be drawn in pursuance to specific resolves or decisions of the council.

14. The following are the objects to which the fund will be more immediately held pledged, and in the order in which they are mentioned. 1st. Immediate relief to indigent widows and orphans of offi-

cers or soldiers. 2d. Immediate relief to deranged or decayed officers, or to infirm or disabled soldiers, discharged under circumstances which may not entitle them to pensions from the government. 3d. The education of soldiers' children at the post school. 4th. The purchase of books, &c. for a library, one section of which, to be adapted to the wants of the enlisted men. 5th. The maintenance of a *post band*, &c. &c.

15. The tariff fixed, as above, shall be hung up in some conspicuous place, in the sutler's shop or stall, for the information of all concerned. The prices, so limited, shall not be exceeded: neither shall the sutler make any difference, as to price, between the officers and enlisted men, either on *cash* or *credit* sales.

16. The sutler shall not *credit* any enlisted soldier, within the same month, (as January, February, &c.) to an amount exceeding one half of his monthly pay, without the express sanction, in writing, of the man's company commander; neither shall he *sell*, or give, to any enlisted soldier, even the smallest quantity of distilled, vinous, or fermented liquor, without such sanction.

17. The consideration payable under paragraph 6, being a highly valuable one, the commanding officer will lend his authority, as often as may be necessary, to protect, within his local command, the exclusive privilege so purchased by the sutler; and no further tax or burden, in any shape, beyond what is herein authorized, will be imposed on him. Accordingly, if there be a suitable spare building at the post, it shall be freely accorded to the sutler. If there be no such house, he will be freely allowed to erect one suitable to his purposes.

18. In consideration of the premises, it is also proper that every facility should be afforded to the sutler, in the collection of the just debts contracted to him, within the limitations of this article. Accordingly, the paymaster, when about to make payments to the troops, will always notify the sutler, in order that he may take his place at the pay-table with his books or accounts; and, at least one officer per company will be held bound to attend the pay-table, if practicable, on a like notice from the paymaster.

19. If the soldier admits the amount demanded by the sutler to be just, it will be handed to the latter as a matter of course by the paymaster, and deducted from the pay of the soldier. If the account be disputed, the sutler shall be required to produce the due bill, or written acknowledgment of the soldier, duly attested, which shall be sufficient, *as to the then settlement*. But the company officer and paymaster will be required to see that the stoppages on account of government be first made; next, the just accounts of laundresses presented and resting on equal evidence to that required in the case of the sutler (see par. 10. art. 28.) The accounts of tailors, &c. (see par. 5. art. 25,) would follow those of the sutler.

20. The foregoing stoppages, except those on account of government, need not be noted on the pay and receipt rolls; it will be sufficient that the soldier gives to the paymaster a receipt in full that his

creditors, abovementioned, be satisfied; that he receives a proper acquittance on account of those payments, and that he receives the balance, if any, of his pay: the whole settlement being made openly and under the guardianship of his officer.

21. If the troops be removed, or a part of them detached from the post, leaving unsatisfied debts due to the sutler, he, or his agent, shall, on demand, be admitted to the pay-table at the next settlement with all such men, and with the same right, &c. as in par. 20.

22. If an individual leaves the post on furlough or on command, the commanding officer of his company will note on the descriptive roll the amount demanded by, and which may appear to be due to, the sutler, in order that the same may be stopped by the paymaster making the next payment, in case the soldier should be settled with whilst absent from the post. In such case the paymaster shall make the stoppage and transmit the amount to the sutler.

23. In the case of the death or desertion of any enlisted soldier, at the time a debtor to the sutler, the latter would submit his demand to the council of administration;—whose duty it shall be, in every such case, to receive and audit the account, and if satisfied, on unequivocal evidence, that the debt was justly due, at the time of the death, or desertion, the said council shall certify accordingly.

24. Such accounts, so certified, and made out by company, and transmitted by the sutler to the paymaster general, shall entitle him to receive from the latter the amount ascertained, out of any arrears due to the deceased or the deserters, at the time of decease or desertion, without waiting, in the case of deceased soldiers, for the ordinary process of administration in a civil court.

25. If the troops at the post consist of detached companies, and the companies are about to be separated, that is, one or more to be removed to another post and one or more to remain, it shall be the duty of the commander, previously, to call a council of administration, to make an equitable distribution of the post fund remaining unexpended. In this case, he would detail senior officers to compose the council, so that its members might fairly represent the whole.

26. If all the companies are to be detached, and to *different* posts, a similar course would be pursued, not only in respect to the post fund unexpended, but also as to the objects purchased out of the fund; as the library, instruments of music, and the like.

27. In this article mention has heretofore only been made, of the connection between sutlers and troops serving at posts, whether in regiment, detached companies, or parts of companies. But it is also necessary to provide for the connection of a sutler with a *regiment*, whilst the latter is on marches in the interior, or during a campaign, or whilst on board transports.

28. Accordingly, a sutler appointed to a regiment would be permitted to follow its head-quarters, generally, under any of the circumstances above supposed; to all of which the provisions of this article would be extended, substituting *regiment* (or *regimental*) for the

word "post," as often as the latter occurs, except in paragraphs 26 and 27, which are not intended to apply to a regiment, under any circumstances. See article 59.

#### ARTICLE 42.

##### *Assembly—inspection and parade of guards.*

1. All guards will be turned off at noon, except when a different hour is appointed by the commander of the army, troops, or post, on account of the heat of the weather, or some other special reason,

2. Thirty minutes before that hour a signal will be made for the details to turn out, when the men from each company will be inspected by the first sergeant, under the superintendence of an officer of the company.

3. Ten minutes after the preceding signal, a second will be sounded, at which the first sergeants will conduct the company details to the regimental parade, each detachment for the same guard taking post on the left of that which preceded it, (under the direction of the adjutant,) in open order, arms shouldered and bayonets fixed. The adjutant, as he successively accepts the detachments, will dismiss the supernumerary men under the conduct of the respective first sergeants.

4. The guards are either organized on the regimental (or garrison) parade, or, according to the nature of the case, partly on that, and partly on the grand parade. In the latter case, the senior officer of the details, or guards furnished by each regiment, and intended for the grand parade, will conduct them from the regimental parade. On arriving at the grand parade, each detachment will take post in the order above prescribed, under the direction of the staff officer from head-quarters, or his assistant, the *adjutant of the day*.

5. The *adjutant of the day* will accompany the details of his regiment to the grand parade, and will be replaced on his own parade by the second officer of the new police guard, if there be two; by the commander, if there be but one; and if there be no officer of that guard, by the sergeant-major of the regiment. The regiment that furnishes the *adjutant of the day* will also furnish the music for the grand parade.

6. The *officer of the day* will always be present at guard mounting; no other, except a general officer, will interfere with, or give any order on the parade, to the staff officer on duty there. The commander of the troops (or garrison) though under the rank of general, is, of course, an exception to this rule.

7. The following form regards, more particularly, the grand parade. With a few obvious variations, it will equally apply to the regimental parade.



8. When the detachments, or guards, open ranks, the officers of them take post twelve paces in front of the centre, in one rank, in the order of seniority, and with swords drawn; the sergeants in one rank, four paces in the rear of the officers; the corporals in another rank, four paces in the rear of the sergeants.

9. The *adjutant of the day* will dress the line, count the files, verify the details by reference to the written orders, and tell off the guards, whilst the other staff officer appoints the officers and non-commissioned officers to the several guards, and designates the posts which they are to occupy. The larger guards, if necessary, may be told off into platoons.

10. The staff officer will next command: *officers and non-commissioned officers—outwards FACE: inspect your guards, MARCH.* The two highest in rank, of each guard, will divide the ranks between them, accompanied by the other officers, &c. The commander of each guard will give the necessary words of command for the inspection of arms and boxes. See par. 9, art. 39.

11. The inspection ended, the officers and non-commissioned officers take post, considering each guard as a company of a battalion, in open order, under review.

12. The staff officer will now command: *the troop—BEAT OFF;* when the music will pass down the line to the left, and back to the right; it will then cease to play, and resume its position. The last command will be the signal at which the new *officer of the day* will take up his position, at a suitable distance in the front of the parade, having the *old officer of the day* on his right, or reverse side, a pace retired.

13. The staff officer will continue—*attention; shoulder ARMS: rear ranks, close order—MARCH: present ARMS;* at which word he will face to the new *officer of the day*, drop sword and report, “Sir, the guards are ready to receive your orders.” The *new officer of the day*, after acknowledging the salute, will direct the staff officer what is next to be done. But, if the staff officer should be senior to the *officer of the day*, he would report without saluting with sword, and immediately retire. In this case the *adjutant of the day* would be instructed to give the orders contained in the following paragraph, or the *officer of the day* would give them himself.

14. The guards having performed such exercises as were required by the *officer of the day*, the staff officer will again command: *guards, (or platoons) right wheel, MARCH: column support—ARMS: forward, guide to the right—MARCH;* when the whole will pass the officer of the day in the manner prescribed for passing in review, in common time, (par. 18, art. 9,) the staff officer, (if still present on duty) marching on the (then) reverse flank of the first division, and the *adjutant of the day* on that of the last division, or, in the absence of the staff officer, the *adjutant of the day* would be dressed on the first division.

15. When the column has passed, the guards break off under their respective commanders, and take the route to the several posts assigned them, at the same time the two staff officers break off, or the remaining one breaks off; the music ceases, and the old *officer of the day* salutes and gives the old, or standing instructions, to him who relieves him. See par. 1, art. 5.

16. Guards which are assigned to new posts will be conducted to, and established in them by the *officer of the day*, and the staff officer or officers detached from head-quarters for the purpose.

17. In bad weather the ceremony of *turning off* guards on the usual parades may be dispensed with by the *officers of the day* respectively, and the inspections be made under shelter. Also, in the case of guards which may have to mount in the night, or at the close of the day, after fatiguing marches, the ceremony of *turning off* will be dispensed with, but that of *inspection* never.

#### ARTICLE 43.

##### *Service of guards on their posts.*

1. Every guard will be superintended by the *officer of the day* under whom it mounts, who will visit the guard and its sentinels once before sunset, and again between midnight and day-break, and as much oftener as may be necessary, or may be required. With a view to this superintendence, the *officer of the day* will always call at the proper head-quarters for new instructions immediately before guard mounting, and he will give particular instructions to the commanders of the guards under him, where he may probably be found, at any time during the twenty-four hours.

2. Habitually, guards will be relieved daily, and sentinels every two hours. Each guard will be divided into three or more reliefs, according to its strength, or the number of sentinels to be furnished; and the service equalized among the reliefs according to the principle, *the longest off post, the first on.*

3. In freezing weather, and also near the enemy, sentinels may be relieved hourly or oftener. Frequent reliefs will serve the purpose of patrols, and also to keep the men more on their feet, and on the alert, when near the enemy.

4. The commander of the guard, as soon after arriving at his post as practicable, will cause a roll to be made of the guard, by reliefs, and, in detaching a relief, will designate the post that each sentinel is to occupy, which posts will be numbered. The most steady and experienced will be placed over the arms, (that is, at the body of the guard) and at the remote points; the others in the intermediate or neighbouring posts, so that they may be more under the instructions of the officers, &c.

5. No sentinel will be posted so distant as not to leave the guard the power of hearing him, either directly, or through the intermediate sentinels.

6. Before a relief marches, it will be presented to the commander of the guard, who will assure himself that the arms are well loaded and primed, and the flints well fixed. These precautions will be particularly attended to during the night, and, if near the enemy, in the day time also.

7. A guard will turn out under arms for inspection and roll-call as often as a relief is detached, and remain formed until the old relief returns.

8. The *relief corporal* will, on returning to the guard, present the old sentinels to the commander, and render an account of every thing material that has occurred during the relief. A similar course will be observed by the commander of a patrol.

9. A sentinel on post will always keep himself very much on the alert, observing every thing that takes place within the reach of his sight or hearing. He will never quit his arms, but move about briskly on the walk assigned him, and occupy himself solely with his duties, without noise and without speaking, except when necessary.

10. He will habitually carry his firelock supported, the bayonet fixed. In wet weather, if there be no sentry box, he will *secure firelock*.

11. He will not suffer himself to be relieved except by the *relief corporal*, or some other superior of his guard, or by some officer of the army whom he well knows to be such.

12. If a quarrel or other disorder happens near him, he will call out "*the guard*," which being repeated up to the guard by the intermediate sentinels, the commander will send a non-commissioned officer with several men to enforce order. If a fire breaks out, he will cry "*fire*."

13. If, in either of the foregoing cases, the disorder or danger is great, and the sentinel is remote from the guard, he will first discharge his firelock in the air, and then call out as above.

14. A sentinel, who, under some urgent necessity, wishes to be relieved for a few minutes, or before the regular hour, will call out "*relief corporal*," when the latter, with a sentinel, will be sent to relieve him.

15. The sentinel placed over the arms, that is, *at the body of the guard*, when he sees a guard or other detachment, a general or other officer entitled to a complimentary notice, approaching, will call, "*turn out the guard*." For the compliments to be paid by guards, see art. 8.

16. A sentinel placed over the colors will suffer no person whatever, under the rank of officer, to touch them, unless it be the color-bearers of the regiment, or a non-commissioned officer of the sentinel's guard.

17. If placed over a stack of arms, he will suffer no person to touch them, except by order of some officer, or a non-commissioned officer of the guard.

18. If placed over prisoners, he will suffer no person whatever, under the rank of officer, to communicate with them, unless it be a non-commissioned officer of the guard; nor will he suffer the prisoners to leave their place of confinement. If necessary, he will in either case call out "*post corporal*."

19. Placed over a magazine or arsenal, or over supplies of any kind, he will call for the *post corporal*, if any person under the rank of officer wishes to enter the former, or to touch the latter.

20. The commander of the guard will not suffer his men to take off their accoutrements, or wander more than twenty paces from the post. Water and other necessities will be sent for by a non-commissioned officer and some men, with arms if near the enemy.

21. During the day, the reliefs off post may be permitted to rest themselves as much as may consist with safety, but during the night no individual will be suffered to lie down or to sleep on any account, if near the enemy, nor at any other time, unless it be expressly permitted by the *officer of the day*.

22. The commander of the guard will, in person, occasionally visit his sentinels during the twenty-four hours, and between the reliefs they will generally be visited by a patrol consisting of an officer, if there be two on the guard, otherwise a non-commissioned officer; and, in either case, a file of men, to make the sentinels repeat their instructions; to correct the instructions if they be defective, to inform the sentinels under what circumstances and at what signals they are to retire on the guard; and, finally, to place or displace them, as may be decided by the commander of the guard.

23. Immediately after *retreat*, the commander of the guard will give out the countersign, &c. to the sentinels on post, and if there be some smaller guard detached from, or dependant on, his own, he will send the countersign, &c. to it a few minutes earlier.

24. The *officer of the day* will be responsible that the guards under him receive the parole, countersign, &c. before *retreat*. The interior guards, that is, guards inside the chain of sentinels around the camp, or inside a fortress, need not receive a countersign, unless it be so ordered expressly by the commander of the troops or garrison.

25. The sentinels commence *challenging* immediately after receiving the countersign. No sentinel will suffer any person to approach nearer than the point of his bayonet until he has received the countersign, placing himself in the position of *charge bayonet* for that purpose.

26. A sentinel will be instructed to challenge by calling out "*who comes there?*" If he is answered "*friend, with the countersign,*" and the sentinel is instructed to pass persons with the countersign, he will reply, "*advance friend with the countersign;*" if the challenge is answered "*relief,*" "*patrol,*" "*rounds,*" or "*grand rounds,*" he will reply, "*stand! Advance corporal (or sergeant) and give the countersign;*" and satisfy himself that the party is what it represents itself to be. If the sentinel is answered in the first manner, and has no



authority to permit a person to pass him even with the countersign, or if he is answered in any manner other than is above prescribed, he will call out, "*the guard!*" in order that the *relief corporal* may be sent to decide on the case. So would he call out "*the guard!*" if the countersign given should be wrong, in either of the other cases supposed above.

27. When the *officer of the day* wishes to make his grand rounds, he will repair to the body of the guard, give the parole to the officer commanding it, assure himself of the presence and condition of the men, and demand an escort proportioned to circumstances;—generally, a non-commissioned officer and a file of men.

28. Grand rounds will also be made by general officers and officers commanding corps or garrisons, when they shall judge proper, or a staff officer may be detached from head-quarters for that purpose; but such persons will be careful to notify the *officer of the day* of all material instructions which they may find it necessary to give to a guard whilst going the grand rounds. In like manner, all material instructions given to sentinels on post by persons entitled to make grand rounds, ought to be promptly notified to the commander of the guard.

29. On the approach of the new guard, the old will take a position the most convenient for the ceremony of relieving. Guards under twelve men, or six files, will be formed in one rank; of or above that number, in two ranks.

30. The new guard will take the position in relieving which may be designated by the senior of the two commanders; but, near the enemy, such position shall not place the two guards front to front, nor the rear of either towards the enemy. For the compliments to be paid on this occasion see par. 6, art. 8.

31. The new guard having taken its position near the old one, and both standing at shouldered arms, the officers and non-commissioned officers will advance to meet each other respectively, when the *new* will take the instructions of the *old*. See par. 1, art. 5.

32. The commander of the new guard will designate a corporal or sergeant, to be termed *post corporal* or *post sergeant*, to take possession of the guard-house or tent, and its furniture, also, other articles (or prisoners, as in the case of a police guard) in the charge of the guard.

33. The new *post-corporal*, (accompanied by the old) will note any *new* injury which may have been committed, and point it out to the new commander, on whose report the relieved commander will be held responsible.

34. The commander of the old guard will have prepared for the signature of the commander who relieves him, an inventory of the property or articles in the charge of the guard, also a roll of the prisoners in its custody.

35. The first relief having been designated, the commander of the new guard will order it two paces to the front, when the new *relief*

*corporal* will take charge of it, and go to relieve the sentinels in the order hereinafter prescribed, accompanied by the *relief corporal* of the old guard, who will take command of the old sentinels when the whole are relieved.

36. A corporal commanding a small guard may call to his aid, in performing the foregoing duties, a lance-corporal, if there be one under him, or an old soldier; and any commander of a guard may, when the sentinels are numerous, designate more than one *relief corporal*. or order a sergeant to take charge of a relief.

37. During the time of relieving sentinels, and of calling in the small posts, the commandants of the two guards will, near the enemy, visit together the avenues leading to the post, the old commander giving to the new all the information he may possess relative thereto, or relative to the enemy.

38. The detachments and sentinels from the old guard having rejoined it, it will take up its march, the drums, &c. of both guards beating a march, unless music be prohibited at the out-posts, on account of the nearness of the enemy.

39. On arriving at the camp or post, the commander of the old guard will, if it consists of several detachments, break it up accordingly, and send each to its regiment or company under an officer or non-commissioned officer. See par. 2. art. 34.

40. On rejoining their companies, the chiefs of squads will examine the arms and other appointments of their men returning from duty, and cause the whole to be put away in the accustomed good order. See par. 2, art. 34.

41. When the old guard has marched off fifty paces, the commander of the new will cause his guard to face about, to recover arms, and to place them in the arm-racks, or on a *traverse*, that is, a pole supported by two forks. If there be neither convenience at the post, the arms will be stacked.

42. The commander will immediately after read over the general and particular instructions for his post, if there be such in writing; next visit his sentinels to ascertain, and (if necessary) to correct, the instructions they have received; and question, in a similar manner, the officers and non-commissioned officers under him, relative to the instructions they may respectively have received from the corresponding persons of the old guard.

43. A relief with arms supported, and formed in two ranks, will march to a flank headed by the corporal; but, if of twelve or more sentinels, the relief will be formed in two sections.

44. The sentinel at the body of the guard will be first relieved and left behind; the one most distant will be next relieved, and the others returning to the guard.

45. When a sentinel sees the relief approach, he will face to it and halt. At six paces the corporal will command: *carry ARMS; HALT*; and add *No. 1*, or the like (for the two sentinels) *recover ARMS*. At this word, the two sentinels approach, when the old, under the cor-

reaction of the corporal, will whisper the instructions of the post to the new sentinel.

46. This done, the old sentinel will pass in quick time to his place in the rear of the relief, the new sentinel facing the relief, when the corporal will command, (for the two sentinels) *No. 1*, or the like, *shoulder ARMS*; and add, *relief, support ARMS—MARCH*.

47. For the compliments to be paid by sentinels, see art. 8.

## SECTION V.

### ECONOMY OF AN ARMY IN CAMPAIGN.

#### ARTICLE 44.

##### *Organization and composition.*

1. As the troops arrive at the appointed rendezvous, the general in chief will cause them to be organized into brigades, divisions, and army corps.

2. Two regiments will constitute a brigade; two brigades a division; and two divisions an army corps; each of which will be placed under the orders of a general officer of appropriate rank.

3. The cavalry and infantry will each be brigaded by itself, and more than two regiments, if much below the legal establishment, may be thrown into the same brigade.

4. There will be attached, as *chief of the staff*, to a brigade, a major; to a division, a colonel; to an army corps, a brigadier general; and, if the particular army consists of two or more army corps, a major general will be attached to it as chief of the staff.

5. Accidental or temporary vacancies which occur in the command of an army, an army corps, division, or brigade, will immediately devolve on the next in rank therein, respectively, until the decision of the War Department can be made known; but, if there be present with the army a supernumerary general officer of the appropriate grade, *he* may be assigned to the vacancy that has occurred by the general in chief, without reference to the War Department.

6. The brigades, divisions, and army corps, will be numbered according to the rank of their first, or original commanders, which numbers will fix their rank, respectively, in the order of battle. Nevertheless, in reports of battles, and other operations in the face of an enemy, those bodies of troops, as well as regiments, will be designated by the names of the officers who actually commanded them in person, as, for example, *Green's* army corps; *La Fayette's* division; *Wayne's* brigade; *Howard's* regiment.

7. At the commencement of the campaign, the chief of the general

staff will, under the direction of the general in chief, draw up a *plan*, or *order of battle*, that is to say, the habitual arrangement of the troops in camp and in battle; a copy of which will be given to each general, or commander, for his information and government. This will be repeated as often as the army experiences an augmentation, or diminution, of an entire regiment or brigade. See the annexed plan or model.

8. The minimum of a company has already been fixed under art. 24. Regiments will be consolidated when they fall below six companies, in such manner that brigades be not made to exceed some twenty-five or thirty companies each; and, if necessary, the number of brigades, divisions, and army corps, diminished accordingly.

9. The officers rendered supernumerary by such consolidations, will be attached either to the remaining corps, or otherwise disposed of, as the good of the service may require.

10. During these temporary consolidations, the men of each regiment will, as far as practicable, be kept under their own proper officers.

11. The order of the regiments in brigades, of brigades in divisions, of divisions in army corps, and of army corps in the army, will not be invariable. The generals, each within his sphere, are authorized to change the habitual order, if important reasons should require it, such as the weakness of some component part, or to relieve one of them from the fatigue of marching too great a distance at a time, in the rear of a column.

12. The generals may, moreover, when necessary, place in different positions, or cause to march singly, the regiments, brigades, divisions, and army corps under them, respectively, all pretensions of the corps, or of their commanders, being subordinate to the paramount interests of the service. Nevertheless, the generals who break or invert the habitual order of battle of the corps under them, will report the change to the general in chief, through the intermediate generals.

13. A regiment, brigade, &c. which shall have been detached, will, on its return, resume its place in the primitive order of battle, saving the case provided for in the preceding paragraph.

14. The number and description of staff officers, as adjutants general, inspectors general, &c. &c. at the disposal of the War Department for any particular army, will depend on creations made by Congress; but, of the staff officers who may be assigned to an army in the field, the commandants in chief of the engineers and of the artillery; the superior officer of the quartermaster department; the superior commissary of subsistence; the superior of the clothing department; the superior of the pay department; the superior judge advocate; the superior surgeon; and the superior apothecary; will be attached to general head-quarters, for the direction or administration of their respective departments of service. Other officers of the staff



will be assigned to the several corps, or branches of service, as the good of the service may require.

15. The superior officer of the corps of engineers, or of the artillery, serving with one of the army corps, or a detached division or brigade, will receive the orders of the commandant thereof, to whom the said superior officer of engineers or of artillery will communicate any orders he may receive from his own particular commandant in chief, attached to general head-quarters.

16. Officers of the staff, having lineal rank, or rank assimilated thereto, and officers of the line without troops, may be assigned to temporary and separate commands, correspondent to rank, by the general in chief. See para. 2 and 3, art. 3; and para. 5, above.

17. A staff officer charged with a particular expedition, or *reconnoissance*, accompanied by a detachment, the commandant of which may, or may not, be his superior, will, without assuming the command, have a right to require that the latter should make all proper dispositions of the detachment to protect him in his operations; and the commandant of the detachment shall refer to the staff officer for the route of march, and the periods of halting and of marching, no matter which of them be the superior.

18. At the commencement of each campaign, the number and rank of orderlies to be allowed to the general officers and chiefs of the staff, and whether to be mounted or not, will be determined by the general in chief. In like manner will be determined the period at which these orderlies are to be relieved, and the regiments which are to furnish them.

19. These determinations will be announced in orders, but may be varied according to circumstances. In route, mounted orderlies will follow the generals or chiefs of staffs, to whom they respectively appertain, and will perform, at once, the service of orderlies and of escorts. Those on foot will march at the head of the divisions, or brigades, of the generals or chiefs of staffs to whom they appertain.

20. All orderlies will be inspected before sent to their destinations. If not conducted by an officer, each will take with him a billet from the adjutant, shewing the period of setting out for his destination.

21. A like rule will be observed in the discharge of orderlies, (an officer of the staff signing the billets) and again, when one of them is sent with some despatch, he will take with him a similar billet, with instructions to ask the officer to whom he is sent, to acknowledge the receipt of the despatch, and to note the hour of the receipt on the billet.

22. The generals of divisions and of brigades will assure themselves of the execution of the regulations of discipline and police, of instruction and administration, among the troops under them. Each major-general, accompanied by the respective brigadiers and colonels, will personally inspect, in detail, each company of the division, after reviewing the corps composing it. Each brigadier-general will act similarly at the moment of receiving his brigade; again, when about

to open the campaign, or resume active operations, after any considerable repose or suspension, and, in general, as often as the good of the service may require. The inspecting general will cause a staff officer, and each captain (for his company) to note down, on the spot, the repairs to be made, and the defects to be remedied, without delay, or as soon as circumstances will permit; and he will designate the men and horses to be left in depot, or to march with the baggage train, on account of debility or lameness. See article 9 and 39. And generally, *interior police*, par. 9. art. 38.

23. The more important results of these reviews and inspections will be reported to the general in chief, through the proper intermediates; and, to render the scrutiny more complete, the inspecting general will take with him the last morning reports, or monthly returns, of the regiments, which shall be verified as to every individual comprised therein.

#### ARTICLE 45.

##### *Theory of the Staff—Summary of its duties.*

1. Staff officers, *as such*, have no direct command over the troops: they are the organs through which their respective commanders or chiefs communicate orders and instructions, either verbally or in writing; and a staff officer will add, “by order of,” or “by command of,” such a one; or premise, “I am commanded, or, instructed by,” such a one; or, “the general, &c. commands, or orders,” leaving the particular general, &c. to be understood. These forms will not be indispensable in cases in which the person to whom the order is addressed is inferior to the staff officer, and they may always be dispensed with in mere matters of course, as on parades.

2. The foregoing is applicable to chiefs of staffs and to their assistants, (see par. 4. art. 44.) also to aides-de-camp and adjutants. The officers of the administrative or disbursing departments of the staff are not within the contemplation of this article. See articles 66, 67, 68, 69, 70, 71, 72, 73.

3. The several chiefs of staffs will form a chain of subordination among themselves. Thus, the colonel who occupies that station in a division will have a direct authority over a major, chief of one of the brigade staffs, in the same division, independent of the commander of the division; but should, in this example, the colonel give an order to the major, incompatible with the duties of the latter towards his brigade, such order would not be obeyed, until communicated to the brigadier general for his approbation. The same rule will apply, equally, to any two proximate chiefs of staffs, from the major general, at general head-quarters, down to the adjutant of a regiment.

4. The duties of a chief of staff, including always his assistants, whatever may be the corps to which he is attached, fall under the heads *sedentary* and *active*.

5. *Sedentary duties*, or the business of the bureau: as publishing orders in writing; making up written instructions, and the transmission of them; reception of reports and returns; disposing them; forming tables, showing the state and position of the corps, or its several parts; regulating details of service; corresponding with the corps, detachments, or individual officers serving under the orders of the same commander; corresponding with the administrative or disbursing departments relative to the wants of the troops, and, finally, the methodical arrangement and care of the records and papers of his office.

6. *Active duties*. These consist, principally, in establishing camps; visiting guards and posts; mustering and inspecting troops; inspecting guards and detachments; forming parades and lines of battle; the conduct or control of deserters and prisoners, (from the enemy) making reconnoissances; and, in general, discharging such other exterior duties (exterior to the bureau) as may be specially assigned.

7. This article regards more particularly the staff of an army in the field, but will equally apply, in many particulars, to the staff of a geographical military department, or to that of a post, in time of peace or war.

#### ARTICLE 46.

##### *Necessaries of officers; baggage train.*

1. The mobility and efficiency of an army in the field are much impaired by useless baggage or luggage. He ought to be considered the most meritorious officer, who preserves his health and martial appearance, and performs all his duties with the fewest stores, and the least incumbrance to the baggage train. Luxury will, therefore, be discountenanced throughout the army, during a campaign, and particularly at head-quarters.

2. The following allowances of baggage for officers with marching troops, in time of war, will, on no account, be exceeded. Any excess will be rejected or thrown away by the wagon-masters, or the conductors of the train, without regard to the rank of the owner or owners.

3. For personal clothing or necessaries, and for articles of stationery and books of regulation, a captain or subaltern will be allowed ——— pounds; a major ——— pounds; a lieut. colonel ——— pounds, a brigadier-general ——— pounds, and a major general ——— pounds. And to the foregoing, ten pounds for the instruments of an engineer officer, and five pounds for those of an officer of artillery; ——— pounds for the commander of a company, on account of the books and papers thereof, and for an adjutant, the regimental bureau or book case described in art. 37.

4. Staff officers, in general, will be allowed the books and papers necessary to each, and a surgeon, his medical chest and necessary

hospital stores. In doubtful cases, arising under this paragraph, the commander of the column will, on the report of the conductor of the train, appoint a suitable officer to inspect the articles in question, and to determine on their necessity.

5. Officers' bedding shall not exceed the following rates; for a subaltern or captain, ——— pounds; for a major, lieut. colonel or colonel, ——— pounds, and for a general officer, ——— pounds. In latitudes north of the fortieth degree, ten pounds may be added to each officer's bedding, during the winter months, and between the fortieth and thirty-fifth, five pounds may be added during the same period.

6. A further allowance, on account of table and kitchen furniture or utensils, will be as follows: for the officers of a regiment, a canteen or case not exceeding ——— cubic feet; for a brigadier general and his staff, a canteen not exceeding ——— cubic feet; and for a major general and his staff, a canteen not exceeding ——— cubic feet.

7. Officers' bedding will be neatly rolled into the smallest compass practicable, and secured in a sack or case, for transportation, and the trunks, portmanteaux, &c. ought to be made of a convenient shape for carriage, either on bât horses, or in wagons. The conductor of the train will not receive any such trunk, case, or parcel, which is not well secured, and marked with the name and addition of the owner.

8. In the field, every officer will be held bound to have about him at all times, when on duty, pen, ink, paper, and wafers, and in addition thereto, for officers above the rank of captain, (including aides-de-camp, the captains of engineers, and of artillery) a spy-glass, or small telescope.

#### ARTICLE 47.

##### *Camps and cantonments.*

1. By the term *camp*, will be understood the ground occupied by troops for a night, or for a longer time, either under canvas, or in *bivouac*, that is, without shelter, or with such shelter only as they may hastily construct, as sheds, bowers, and the like. Troops are said to be *cantoné*, or in *cantonments*, when distributed, at any time, among the villages or houses of the country, or when placed in huts constructed for the purpose, as at the end of a campaign. *Barracks* are permanent military quarters.

2. Camping parties will consist of the pioneers, (or a private per company) under the quartermaster, or quartermaster sergeant of each regiment, who will be sent in advance to prepare the camp, under the directions of the chief of the staff, or one of his assistants, and it may be aided by an engineer officer. The latter will be more particularly charged with the *reconnoissance* of the ground, with a view to the works, intrenchments, and communications which it may be



proper to construct, or to open. When necessary, an escort will be ordered, to protect the foregoing operations. Officers' spare or led horses, and their servants, will not be allowed to accompany these parties.

3. Guides of the country will accompany camping parties, when necessary, and the cavalry officers and non-commissioned officers of these parties will reconnoitre the watering places about the new camp, cause those to be opened that may require it, and designate such as are dangerous.

4. The object of the camp will determine the choice, and the form of it. If it is simply a camp of rest, on a march, the dryness of the soil, and the proximity of wood and water, need only be considered. If it is to be intrenched, if it is to cover a country or a siege, if the object be to give the enemy an exaggerated notion of the strength of the army, the camp will be chosen and established accordingly.

5. The general officers will establish the troops as they come up, with as little delay as possible, particularly after long and fatiguing marches or operations. Immediately after arriving on the ground, orders will be given, personally, by the brigadier generals to the colonels, and by the latter to the field officers and captains, *determining* the number of men to be furnished for piquets and guards; the hours at which they are to assemble; the posts to be occupied by them; the orderlies to be furnished, or to be relieved, &c.; the places of distributions (of subsistence, wood, straw, and the like;) the fatigues to be sent for them; the communications and the intrenchments to be opened; the works to be constructed; and, in general, any thing else that concerns the interior and exterior police or service of the camp. The captains will add aloud such instructions as may be necessary for their respective subalterns and non-commissioned officers, and as soon as the adjutants have determined the number of men to be furnished by the several companies, in their respective regiments, the first sergeants will cause those to step out who are to go immediately on post, or on duty.

6. When the police and other guards are ordered out, the colors will be planted, and the arms stacked, in a line between them, (the weather and the ground permitting;) afterwards the ranks will be broken, and the tents pitched on the ground indicated by the quartermasters and quartermaster sergeants. In the cavalry, before pitching the tents, the piquets and the cords will be placed, and the horses attached thereto.

7. Until these duties are completed, the officers will not be permitted to leave the troops, or to employ any soldier for their own accommodation.

8. The terms "*front, flank, right, left, centre, and rear,*" of a camp have, in respect to a camp, the same acceptation as in respect to the order of battle.

9. If the camp is to present the same front as the troops in the order of battle, 400 military paces will be necessary per regiment

of 500 files front; and for any other number of files deduct therefrom a fifth, to find the front in paces. Add, in every case, twelve paces for the interval between a regiment and the next on the left, in the order of battle.

10. The number of tents per company will depend on their dimensions. They will be pitched in two ranges, one tent behind another, having their openings facing inwards. The interval between the ranges, (or the company street,) will thus be perpendicular to the front of the camp. The tents in the same range will be placed one pace apart, and the intervals between contiguous companies will be two paces. Each flank company will thus have a range of tents isolated. See plate No. —.

11. The stacks of arms will be ten paces in front of the tents; the colours in the same line, opposite the centre of the regiment, and the kitchens twenty paces behind the tents.

12. The sergeant majors, quartermaster sergeants, trumpet, or drum majors, the sutlers and laundresses, will encamp on the same line, fifteen paces in rear of the kitchens; the company officers on the same line, fifteen paces in rear of the preceding; the field officers and commissioned staff, on the same line, fifteen paces further to the rear; and the wagon or baggage train, on the same line, twenty-five paces in the rear of the field officers.

13. The police guard will be placed two hundred paces in front of the arms, facing the centre of the regiment, if the ground will permit; the prisoners' tents two paces in rear of that of the guard; the sinks, for the men, 170 paces in front of the arms; those for the officers, ten paces behind the baggage train.

14. If the army is in two lines; the second will encamp four hundred paces in rear of the first.

15. Each squadron, or two troops of cavalry, will encamp in such manner that the tents may form two single and one double range; giving, besides, a narrow street, of three paces between the double range of tents, (back to back,) two wide streets of — paces each, in which the horses of the respective troops will be placed, in two ranks, (crupper to crupper) the piquets being planted two paces from the range of tents on either side. There will be a space between every two tents, in the same range, of five paces, for forage, and ten paces between the last two tents in each range, in order that there be not forage on the side of the kitchens. See plate No. —.

16. A camp established as above, and according to the annexed plates, will serve as a model for others, in cases where the ground, or particular instructions from head quarters, may render variations necessary. In campaign, cords can be but seldom used in tracing camps. On actual service, distances will be generally determined by the eye and the legs.

17. The staff officer charged with the establishment of the camp, will designate the positions to be occupied by the shambles, and will require that the entrails of the cattle slaughtered shall be buried. For

this fatigue, and that of the sinks, convicts will be employed as often as the guards can furnish them.

18. Fires will be permitted in the kitchens only, except in seasons of rigor. In the latter case, the places for building additional fires will be designated.

19. No officer will be allowed to occupy a vacant house, even on the ground of his camp, without express permission from brigade or division head quarters, as the neighboring buildings may be required for the sick.

20. General officers will establish themselves near the centres of their commands; the brigadiers very near their brigades; the commanders of divisions and army corps on the grand communications between the corps. When the troops *bivouac*, the generals of all grades will *bivouac* also.

21. Near an enemy, as soon after the troops are established in camp, or cantonments, as practicable, the superior officers, whether of the line or of the staff, will take opportunities of reconnoitring the immediate environs, and of learning the names of the principal objects therein; as roads, rivers, bridges, fords, houses, woods, and the like. The generals, with portions of their staffs, will push their observations to a greater distance.

#### ARTICLE 48.

##### *Orders; mode of distribution.*

1. Verbal orders, addressed to officers, will be transmitted by officers, and preferably by staff officers. Written orders may be transmitted by orderlies. In this case, the orders would, in general, be sealed.

2. Orders may be written in the form of letters; but, in general, they will take the form of *orders* purely military. They will always be transmitted through the intermediate commanders, in the order of rank, except in some extraordinary case, when copies, or notice of their nature, will be promptly sent to the officer omitted, by the officer who made the omission.

3. Orders for corps, after orderly hours, will be sent to them, and if the titular commander of the particular corps (as brigadier for a brigade, colonel for a regiment, and the like,) be absent, the order will be received and put in execution by the next in command, present with the corps; that is, by the actual commander.

4. All orders will be numbered; those of a general nature in one series, and special orders in a different one. Each series for the army, an army corps, a division, or brigade, will commence with its organization, and terminate with the campaign. For departments, regiments, companies, and garrisons, the series will commence and terminate with the year.

5. The *head* of the order will indicate the source from which it emanates; as "*Adjutant and Inspector General's Office*;"—" *Head Quarters, Northern Army*," for a particular army in the field;—" *Head Quarters, 1st Army Corps; 1st Division—1st Brigade—1st Regiments*," and the like;—" *Detachment Head Quarters*;"—" *B Company, 1st Regiment*," and the like, (omitting *Head Quarters*:)—or, "*Head Quarters, Northern Division*;"—" *Head Quarters, 1st Military Department*," and the like;—" *Head Quarters, Fort Columbus*," and the like, where the garrison consists of more than a company; otherwise, omit "*Head Quarters*." The commencement of the order will shew its character, as "*Special Orders*," or simply "*Orders*," for those of a general nature.

6. *Special orders* are such as relate to the march of some particular corps; to the establishment of some particular post; to the detaching of individuals; to the granting of requests; and, in general, to such other matters as do not interest or affect the troops generally, under the orders of him who gives the orders; and, therefore, special orders need not be published to the troops generally. The parole and countersign are in the *nature* of special orders. See par. 17 below.

7. General orders will be given as often as there is matter. They will indicate, 1st. The hours and places of distributions. 2d. The hour of calls; of assembling guards and detachments. 3d. The number, grade, and kind of orderlies; and the force and composition of guards of honor, and the periods at which they are to be relieved. 4th. The regulations of police, and the prohibitions to be made according to circumstances. 5th. The requisitions to be made, and the returns to be furnished by the corps. 6th. Transcripts from, or an analysis of, all such new laws, or decisions of the War Department, as may affect the troops, and which it may be necessary for them to know. 7th. The thanks or reproaches which may be due to corps or individuals. 8th. Exhortations; and, in general, every thing which may be of importance for the army to know. The *watchword* is in the nature of a general order, though published at a particular hour, and under special injunctions. See par. 17 below.

8. An inferior commander, to whom orders are addressed, will add to them such dispositions as may be deemed necessary to ensure their execution in his particular corps.

9. There will be established, for each head-quarters, an orderly hour. That for the head-quarters of an army corps will follow the orderly hour at general head-quarters, and so of the other corps in the order of inferiority. The chief of the staff of an army corps will send one of his assistants to general head-quarters at the hour appointed, to copy orders, and a similar method will be pursued by the chiefs of staffs in the divisions. The chief of a brigade staff will go in person to division head-quarters, at the orderly hour of the division; or the brigadier-general may substitute an aide-de-camp. In like manner, an adjutant will repair to the head-quarters of his brigade, or, by permission, he may substitute his sergeant-major. Fi-



nally, at regimental head-quarters, the adjutant will dictate the orders to the first sergeants.

10. When orders, which may require the immediate attention of the captains, reach regimental head-quarters after the orderly hour, they will be published as above, the *first sergeants' call* being sounded for that purpose.

11. Orders which relate to the duties of the administrative and medical departments of the staff, will either be sent to their respective chiefs, or the latter may be required to send for them, as the respective generals may regulate. The same rule will be observed in respect to the two commandants-in-chief of the engineers and artillery.

12. An adjutant or other officer of a battalion, or company of artillery, serving with an army corps, division, &c. will be required to attend at the regular orderly hours appointed for the corps. During marches and active operations, when the regular orderly hours cannot be observed, all orders will be specially published, that is, they will be either sent to the corps, or their respective commanders will be notified when to send to head-quarters for them. Under the same circumstances, orders will be read to the troops during any halt, without waiting for the regular evening parades.

13. Certain orders ought to be read more than once to the same troops. When this is thought necessary, the orders will carry with them a direction to this effect: "The foregoing will be read, or read and explained, at the head of every company in the —."

14. In transcribing orders, great care will be taken to avoid errors, which may effect their meaning or intention. The chiefs of staffs, in dictating orders, will look to this object, and the commandants of regimental parades will be responsible that orders are correctly read to the troops by the adjutants. Captains will be equally responsible for the correctness with which orders are read at the heads of companies.

15. Officers who go up to take orders, will always request leave to correct their watches by the time at head quarters. This rule will be observed throughout all the corps of the army.

16. The chief of the general staff will address to the Secretary of War, monthly, extracts of all the more important general orders issued from his bureau during the preceding month.

17. In peace, and in war, a *countersign* will be given daily, to enable guards and sentinels to distinguish persons, and to execute the police regulations during the night. For officers (and *not* non-commissioned officers) commanding guards, a second word, denominated *parole* will be given, at the same time, as a check on the former, and by which, visits of inspection, or *grand rounds*, will be received in the night. Near an enemy, a third, or *watch-word*, may be added, to enable the troops to know each other, and to rally, in night encounters.

18. These three words, *parole*, *countersign*, and *watch-word*, will always emanate from the highest in command; the name of a departed worthy will be preferred for the first; that of a place for the second; and for the third, some noun which is not a proper name; as thus: WASHINGTON; VERNON; VICTORY.

19. Detachments and posts in the neighborhood of the army, or within the immediate sphere of its operations, ought to use the same parole, &c. In such cases, it may be necessary to send a series of words for some days in advance. Ordinarily, they will be issued at the same time with other orders; and always in time to reach the several commanders, posts, and guards, before the setting of the sun.

20. In transmitting them, they will be carefully put under seal, separate from other orders, and endorsed, "parole, &c." If they are lost by the way, or a man deserts with either of them, the highest in rank, according to the nature and emergency of the case, will immediately make the necessary change, notify the neighboring posts and corps, in order that the information may be carried promptly to general head-quarters, and a remedy applied for the whole line. See art. —, rules and articles of war.

#### ARTICLE 49.

##### *The roster; or details of service.*

1. In each regiment, the adjutant will be charged with equalizing the service done by detail according to the principle, *the longest off duty, the first on*. Consequently, he will keep a *roster* exhibiting the officers (under the colonel) by class, name, and rank, and also exhibiting the effective strength of companies. See forms annexed.

2. In general, the lieutenant-colonel and major will be considered of the same or first class, and the subalterns, in like manner, as forming but one, or the third class. The captains constitute the second. The members of each class will alternate together, that is, relieve each other in succession, as far as practicable, in the same rotation of service; of which practicability the commander will always be the judge, who may, in case of necessity, even order a sergeant to relieve a subaltern, or vice versa.

3. The adjutant, in making details for guards and distant services, will be careful not to leave a company without an officer, if it be possible to avoid it; and when a number of officers and men are required equal to a company, he will, when practicable, designate one, rather than make up the quota by details from several companies.

4. Like principles will govern the first sergeants in equalizing service among the platoons, sections, squads, or individuals of their respective companies, under the rank of officer. The company roster will be divided into three classes, to wit: sergeant, corporal, and private. The roster of the drummers, &c. will be kept by the drum-major.

5. There shall be two tours of service, to wit: 1st. *Service with arms.* 2d. *Fatigues.*

6. The first tour will comprehend; 1st. Detachments for reconnoitring, foraging, and the like; 2d. Grand guards, and other exterior posts; 3d. General courts-martial, and courts of inquiry; 4th. Guards of honor or personal guards; 5th. Regimental and garrison courts-martial; 6th. Police guards; 7th. Interior guards, as those of magazines, hospitals, and the like; 8th. The service of orderlies; 9th. The piquet.

7. The service of the *officer of the day* will fall under the head of the guards turned off before him, and at posts where the number of officers is not sufficient for the ordinary reliefs, the services mentioned under the 3d and 5th heads above, will not exempt a member from being detailed as *officer of the day*, that is, when the court sits at the post to which the member so detailed is attached.

8. As soon as a court adjourns *sine die*, or for several days, the president will cause the fact to be reported to the commander of the post, when, and during such adjournment, all the members of the court (excepting the acting judge advocate) attached to the post, will be liable to be detailed for any other duty of the post.

9. Those different services (par. 6) excepting detachments and courts, will commence and finish daily at guard mounting, excepting, also, the termination of the service of orderlies, who will be relieved weekly, or oftener, as may be determined by the commander of the troops or post.

10. Officers and others will be detailed in the order indicated above. Consequently, the first in rank, of each class, for duty, will be put on detachments, &c.; the next, on the grand guards, &c.; the last in rank of the same class for duty, will always be placed on the piquets. On days when there is no detachment to march, the first in rank of each class for duty, will be put on the grand guards, and so of other services in numerical order.

11. For the first tour of service, officers and non-commissioned officers will be detailed according to seniority, beginning at the head of the class; platoons, sections, squads, or individual privates, according to their places in the order of battle, beginning on the right; and drummers, &c. according to the numbers of their companies, beginning with the first. Details for the second tour will be made in the reverse order.

12. Every service not included in par. 6, shall be reputed *fatigue*: thus: the second tour of service will comprehend the fatigues of the camp or post, done by detail; also, fatigue parties sent out, armed or not armed, including their escorts; and, finally, all other parties not armed.

13. An officer, &c. who shall be absent when called for a particular service, or otherwise disabled from taking it, shall be replaced by the one next on the roster, and the former will take the place of the latter, if present in time.

14. The second tour will always be considered subordinate to the first: thus, if it happens that a senior officer, &c. is in a situation to be detailed for either tour, he shall have the right to prefer the first. If he is on some duty of the second tour, and *present*, or within reach at any time before the departure of the detachment, the mounting of the guard, &c. he shall be relieved.

15. The service of the first tour will be accounted as made for officers, &c. when the detachment marches beyond the limits of the camp or post, or the guard has taken its post, although the one or the other may be immediately after ordered in. The same in respect to the members of a court after it is organized, and in respect to an orderly after he has reported to the officer under whom he is to do duty. Finally, the service of the piquet shall not be considered as made before the next day at the hour of guard parade, excepting always for the individuals of the piquet, who may have actually been drawn from it, to make part of a detachment or guard, or to be employed on some other armed service.

16. An officer, &c. whose turn for fatigue may arrive at the same time that he is also first for duty on the roster for armed service, or when he may be actually employed on the latter, shall not then take his tour of fatigue, neither shall he be credited for it, unless he was on some armed duty, by detail, of more than twenty-four hours.

17. The second tour of service shall be accounted as made, when the individual has been actually employed on some fatigue at the camp or post, or (if beyond the camp, &c.) if he has passed the guards.

18. In the cavalry, the dismounted men, or those whose horses are unfit for active service, will be employed on foot in preference—taking care not to overcharge them with duty.

19. A captain commanding two or more companies, may be exempted, for the time, from details as such, at the discretion of the next in command.

20. In campaign, and near the enemy, flank companies (as grenadiers, light infantry, riflemen, and the *elite* in cavalry) will be exempted, when not embodied into battalions, &c. separate from their respective regiments, from all duties done by detail, excepting company police and the services numbered one and two of the first tour; but the officers may be detailed for courts martial or courts of inquiry. In like manner, artillery companies, &c. with trains, serving with infantry corps, will be exempted from the general or ordinary details, as they furnish their own park guards, &c. but the field officers of the artillery may be placed on the roster for the duties of *field officer of the day*, that is, when serving with brigades of infantry.

21. The roster of the army, and that of each army corps, will comprise the general officers by name and rank, and the effective *strength* of the respective corps. The roster of a division will comprise the commandants of brigades by name, &c. and the effective



*strength* of the brigades; and the roster of each brigade will comprise the field officers in it by name, &c. and the effective *strength* of the regiments. For the field officers not in the immediate command of troops, see par. 16, art. 44.

22. The principles prescribed for details in a regiment will be observed in larger corps. See par. 1 and 3.

23. All guards will be turned off according to their destination, either from a regimental or grand parade. See art. 42. In an army in the field, the brigade parades are the grand parades, and all details for them will be made at the respective brigade head-quarters, to which orders from a higher source, calling for details, will be addressed accordingly, through the intermediate commanders.

#### ARTICLE 50.

##### *Police Guard.*

1. Police guards and their duties have already been noticed, necessarily or incidentally, under several of the preceding articles. See 26, 42, and 43 generally; par. 2 and 3, art. 25; par. 2, art. 33; par. 6 and 13, art. 47; and par. 6, art. 49.

2. The police guard of each regiment (or post) will, in future, take place of camp (or garrison) guards. Its force will be sufficient to furnish the requisite sentinels around the camp (or post,) together with those herein particularly mentioned, and to make the patrols which the localities and other circumstances may render necessary. It will be turned off from the regimental (or garrison) parade.

3. The *officer of the day* will decide when the commander of the guard may permit his men, by reliefs, to eat their meals with their companies, taking care that each relief promptly returns. He will also decide whether the guard shall detach from it one or more small posts or guards, when the extent of the ground to be covered by the sentinels shall render such division necessary or convenient. Each of these small posts will act in the manner prescribed for the main guard on which they depend.

4. Besides the sentinel placed over the army at the body of the guard; the sentinel over the prisoners; the one over the colors; and the one at the tent or quarters of the colonel; (which shall be posted at the tent or quarters of the next in command if the colonel lodges out of camp or quarters) the guard will furnish others to be posted on the front and rear of the camp, and over the arms of the regiment when they are stacked, or in bells-of-arms.

5. If the army is encamped in two lines, the regiments of the first line will furnish the sentinels for all the front of the camp, and the regiments of the second line will furnish the sentinels for the rear. The sentinels in the rear will be posted twenty paces behind the baggage train. See par. 12, art. 47.

6. Regiments on the right and left of the camp will place sentinels on their exterior flanks, for which augmentation of their police guards they will have credit on the brigade rosters.

7. The duties of the four first sentinels mentioned in par. 4, and those of the sentinel over the arms, have already been particularly noticed under the references of par. 1. The others forming the chain about a *camp* (or post) will be instructed not to suffer any person, under the rank of officer, to pass out without permission; and during the night, in the case of a camp, no person whatever to pass *in* or *out* except by the body of the guard, after being recognized by the commander.

8. The *officer of the day* will cause patrols to be made during the day, if he judges it necessary, for the police of the camp (or post.) During the night these patrols will always be made (commencing immediately after *retreat*)—to cause the fires of the kitchens to be extinguished at the hour indicated; to order out from the sutler's shops the men who may be found there; and to arrest and commit to the guard the men who may be found out of their tents (or quarters) after *tattoo*, unless they be going to, or from, the sinks, or on some duty.

9. During *retreat*, the guard will be under arms for roll-call and inspection, and immediately after, the additional sentinels for the night will be posted. These will be called in after the *reveillé*.

10. Besides the sentinels forming the chain, there may be others posted (particularly in the night) more in advance, in such manner as to give prompt notice of the approach of danger, or to correspond with the grand guards, if there be such established.

11. When the *assembly* is beaten, preparatory to a march, the sentinels of the guard will be called in, and the whole ordered to join their companies, excepting the prisoners' escort, and excepting also such part of a *new* police guard as may be required to march with the camping party of the regiment, as its escort. See par. 2. art. 47.

12. When the ground of the new camp is designated, the commandant of the escort of the camping party will furnish the sentinels which may be required by the staff officer who designates the ground. As soon as the regiment arrives, the guard will take up its position and resume its regular duties.

13. The commander of the police guard will hand in to the *officer of the day* a written report of his tour of service, and of the prisoners and articles in the charge of the guard, immediately after being relieved. See par. 32, 33, and 34, art. 43. The prisoners will be reported by name, grade, and corps, showing when, and by whom, committed, and on what charges.

14. The *officer of the day* having added to the guard report such remarks as circumstances required, noting the visits and rounds made by him, and at what hours, &c. &c., will hand over the report to head-quarters.

## ARTICLE 51.

*The Piquet.*

1. In camp, there will be detailed, daily, by regiment, a piquet composed habitually of two subalterns, two sergeants, four corporals, a drummer, and a number of men proportioned to the strength present, and on every other day a captain will be added to this detail, so that one of the regimental piquets in the same brigade may have an officer of that rank to command it. This regiment will be the one that does not furnish the *adjutant of the day* for the grand parade.

2. The service of the piquet will begin and end at the same hour with that of the other guards. It will always assemble on the regimental guard parade, on the left of the police guard, and be inspected and turned off with the latter. In the cavalry, it will be mounted and the horses equipped.

3. The piquet having marched past the regimental officer of the day, will return to the same parade, or march to any other rallying post that may be assigned to it, and be dismissed with instructions to re-assemble promptly when called. The ceremony of relieving one piquet by another, as in the case of other guards, will be dispensed with.

4. The piquet being destined to furnish extraordinary or unexpected detachments and guards called for during the twenty-four hours of its service, the officers, &c. drawn from it for such purposes, before the hour of retreat, will be immediately replaced. Those furnished after that hour need not be replaced, unless there be an express order given to that effect.

5. The officers, &c. of a piquet, will, at all times, be ready to march, armed, clothed, and equipped at all points, and will not leave the camp during the twenty-four hours of their service, unless in one of the cases above provided. The regimental *officer of the day* will cause the piquet to assemble for roll-call and inspection of arms, &c. several times during the day.

6. By means of these dispositions, which assure the presence of the men and their condition for prompt service, it will not be necessary, in the cavalry, to keep the horses saddled, without an express order to that effect. The horsemen of the piquet will perform their stable duties as usual, with this difference—they shall remain booted.

7. The piquets in the cavalry will only assemble mounted, by an express order to that effect from the colonel, the *officer of the day*, or some general officer. For inspection, by either of those officers, it will ordinarily assemble on foot with side arms.

8. When it is designed to assemble the piquet during the day, a signal will be sounded by the drummer or trumpeter of the police guard. If during the night (which will only take place in case of alarm, or when the piquet is to march in whole or in part) the *officer of the day*, or the *adjutant*, will wake up the officers, the latter the non-commis-

sioned officers, and these the men. The whole, without noise, will immediately form in the order of battle, ready to march.

9. Immediately after retreat the piquet will be assembled for roll-call and inspection of arms, &c. by its commander, assisted by his officers, &c. after which, the whole will retire to their tents. In the cavalry, the piquet will ordinarily be on foot for this inspection.

10. The commander will note down the tents of the officers and non-commissioned officers, and the latter the men's tents, to the end that the whole piquet may be promptly assembled, in case of need.

11. If the piquets should be ordered to *bivouac*, the colonel would indicate the place. In this case, the horses would be kept equipped.

12. As often as the regiment is under arms, for reviews, manœuvres, marches, or action, the piquet will be ordered to rejoin its companies.

#### ARTICLE 52.

##### *Grand guards, and other out-posts.*

1. Grand guards are the advanced posts of a camp, or cantonment, and ought to occupy the approaches, or avenues, leading to it.

2. The force and positions of the grand guards will be regulated by the generals of brigades, subject, of course, to the orders of their lineal superiors; each brigadier general being held responsible for the maintenance of the ground occupied by his brigade.

3. To the grand guards of infantry there will be, generally, attached a portion of cavalry, as well with a view to the common service of the posts, as also to communicate prompt intelligence of the enemy in urgent cases.

4. Habitually, they will be composed (by brigade) of a captain, two subalterns, two sergeants, four corporals, two musicians, and a number of men proportioned to the objects in view, and the effective strength of the regiments present, and will mount with havresacks, &c. charged for twenty-four hours.

5. Besides the general superintendence which the generals of every grade, and their chiefs of staffs, may give to the grand guards furnished by their respective corps, the superintendence of them will be more especially confided to a *field officer of the day for each brigade*.

6. The lieutenant colonels and majors will be classed together on the roster for this service. When their number is less than three, the colonels will be brought into the same class, and, in cases of necessity, one or two of the senior captains, in order to make three or four reliefs.

7. The grand guards will mount habitually at the same hour with the other guards. See article 42 and 43. Nevertheless, the generals of brigades, with the approbation of their superiors, may cause them to mount a little before the break of day, when it may be thought



advisable to double the outposts about that time; or they may mount at any other hour, when some special reason may render it necessary.

8. In the night a grand guard will assemble and depart without noise, throwing out flying sentinels on the march, to scour the country. It will do the same thing by day, at the time of establishing itself in a post, and whenever circumstances may require it.

9. It will be conducted to a new post by the *field officer of the day*, or by some staff officer, who may have reconnoitered the ground; these reconnoissances being among the principal duties of the staff. See par. 4 and 6, art. 45.

10. The commandant of an established outpost will send to the *field officer of the day*, as often as may be necessary, a steady man of the guard, as a guide to the relieving *field officer of the day*, or grand guard. He will also send, in the evening, a corporal, or some trusty man, to the *field officer of the day*, for the billet containing the parole, countersign, &c. See par. 17 and 19, art. 48.

11. A grand guard, if there be no principal avenue to be occupied or defended, will be established, as nearly as may be, in the centre of the ground to be covered, and in a bottom, or in some covered place, in order that the enemy may not reconnoitre its force, &c. Outside, and near the edge of a wood, will be avoided.

12. When very near the enemy, the guard may change position after retreat, particularly cavalry guards, which ought to occupy, during the day, positions very much advanced. But even cavalry guards will not be advanced too near to the enemy, in a country covered, broken, or mountainous, particularly if the enemy be favored by the neighboring inhabitants.

13. Grand guards, posted in a plain, and exposed to cavalry attacks, will cover themselves by trenches, (of a circular form,) or by abattis. A similar precaution may generally be observed when near an *Indian* enemy. Under other circumstances they will only intrench and fortify themselves by express permission of the brigadier generals, as those defences are apt to impair the alertness of the guards, and even to render them timid. This remark will not apply to a *detachment*, which would, if menaced, intrench itself, or use, for its safety, all other means furnished by the localities.

14. The first care of a *field officer of the day*, and of the commander of a grand guard, the moment that the latter is in position, is to obtain intelligence of the enemy; of his position; of the roads or passes leading from him to the guard, or the army. It is on this information that the small, or more advanced posts, and the additional sentinels for the night, will be established.

15. The first subaltern will command the largest, or most important of these small posts, a sergeant the next, and corporals the others. Generally, one of the non-commissioned officers, with some six or twelve men, will be most advanced, and dependent on the subaltern, the latter (having a corporal and some twelve or twenty men with him) occupying a position between the advanced non-commis-

sioned officer and the body of the guard. The other small posts will generally be detached to the right and left of the guard, and all of them will throw out sentinels proportioned to their strength, and according to the instructions given.

16. The commander of the grand guard will give the most detailed instructions as to the service of the several small posts, particularly as it respects the reports to be made to him; general vigilance; the defence expected from each; and as to retreats; which will always be made on the body of the guard. The *field officers of the day* will act similarly in respect to the commanders of grand guards under them respectively.

17. The particular instructions to be given to a grand guard will depend on a variety of circumstances, but there are others which are general and invariable, to wit: that it shall inform the nearest corps, and the *field officer of the day*, or the general of the brigade, of any threatening or important movement of the enemy, and of any attack that it has reason to apprehend; that it shall arrest all suspicious persons who may approach without passports: and every soldier or waiter who shall attempt to pass *out* without permission; also, persons who profess to belong to the army coming into camp, unless they are well known to be such; and, finally, that they shall turn back even marketing people who may offer to pass *in*, unless instructions have been given for their admission.

18. The sentinels the most advanced will be doubled, (particularly during the night) and posted behind trees, fences, and the like, from which they can best observe or intercept the enemy, without being seen by him. They will not be allowed to sit, or to lie down, if they can be otherwise concealed, as, in either case, they would be liable to fall asleep.

19. When doubled, one of them will be instructed, under particular or extraordinary circumstances, to fly to the guard with information. During the day intelligence may be communicated from distant sentinels by signals, as thus: the cap placed upon the bayonet, and elevated, may signify the approach of danger, &c. &c.

20. During the night it will be useful to employ a different kind of signals, to precede the countersign. The patrols, grand rounds, flying sentinels or reliefs, may, for example, when challenged, answer by clapping hands, striking on some part of the firelock, and the like, without dispensing with the countersign. These signals may also be substituted for the challenge, "*Who comes there?*" when the enemy is near enough to hear the challenge. In this case, if the concerted signal is not given in reply, the sentinel ought to be instructed to fire, as in the ordinary case of not answering, or answering unsatisfactorily.

21. In detaching flying sentinels, the most intelligent men will be chosen, and limits assigned to them, as it may be imprudent for them to go more than one hundred paces beyond the guard; and, it is repeated, that too much care cannot be taken in the choice of sentinels for the posts most remote from the guard.

22. The strength and frequency of patrols and rounds, and the number of flying sentinels to be thrown out, will depend upon the proximity of the enemy, his facilities for attacking or passing the post, the temper of the neighboring inhabitants, &c. &c. In general, a commander cannot too much multiply his precautions.

23. He will, personally, during the day, reconnoitre the routes which the patrols and rounds will have to take during the night, having with him some of those who will compose them as guides for the rest. Of course, all patrols, rounds, reliefs, and flying sentinels, will be challenged on their return to the guard, in common with all other persons whatsoever, who approach it during the night.

24. Towards day break, the patrols ought to be more frequent, and not restricted to the environs of the guard and its sentinels. They will march with the greatest precaution; examine the hollow ways, the woods favorable to the designs of the enemy, and neglect nothing to avoid being cut off, or to avoid engaging in an unequal contest. If they are attacked, or if they meet an enemy, they will fire, and seek to arrest his march. While they are out, the guard will be under arms, and the horsemen mounted, or ready to mount.

25. Cavalry patrols will push their discoveries still further than those of the infantry; and patrols of both kinds, sent out towards break of day, will not return until broad day light. Then, and not before, the additional sentinels of the night will be withdrawn.

26. The commanders of *reconnoissances*, or patrols, will look back, from time to time, to judge the aspect of the ground, in order to note the points and objects which may become favorable for defence in case of attack, or serve as guides in the case of retreat. The roads or ways; their crosses, branches, and directions, will likewise be carefully observed, and, in returning, these parties, especially in the night, will frequently halt to look round and to listen; in order to be certain that they are not pursued, or, if pursued, to make the proper resistance.

27. When it is to be apprehended that the small posts may be surprised, they will not be permitted to kindle fires; and, in order that the number and position of the grand guard may not be betrayed to the enemy by lights, other fires will be made at some distance from it, and kept up by flying sentinels. Similar fires might usefully be established in passes or on points which, from the want of men, cannot be occupied.

28. When a part of the horses are sent to water, in cavalry guards, the remainder will be mounted, or they will hold themselves ready to mount, as in the case of detaching a patrol.

29. The guard, and particularly a sentinel, will not allow a deserter, or other suspicious persons, to approach, until he has thrown down his arms. All such persons, will be promptly sent, from post to post, to the *field officer of the day*, who will report or send them to brigade head-quarters. In the night, if there be a difficulty in sending them off from the post, they will be strictly guarded.

30. The brigadier-general having examined them, will send them to division head-quarters. The commander of the grand guard will, himself, have previously caused them to be searched, and questioned relative to whatever may be of *immediate importance to his post*.

31. The bearer of a flag of truce, and his trumpeter, &c. &c. will always be stopped by the first sentinel whom they may approach, who will cause them to halt, and face about from the post and the army, and, if necessary, they will be directed to place bandages about their eyes. A non-commissioned officer, at least, ought to remain with them, as well to cause an obedience to those directions, as to avoid the indiscretion of sentinels, and further, to seek, by adroit replies, to deceive the curiosity of those persons—whose secret and principal object may be, to make a *reconnoissance* under the protection of a flag.

32. The bearer of a flag of truce, who presents himself in a proper manner, and who obeys the necessary directions given him, will be treated with the greatest civility by all persons belonging to the army. A written acknowledgment having been given by the commander of the grand guard, of the letters or packages brought, the bearer of the flag, &c. will be immediately dismissed,—after which, if he is found loitering or reconnoitering about the out-posts, he will be treated as having dishonored his flag. The letters or packages will be promptly sent, through the *field officer of the day*, to general head-quarters.

33. The moment that an enemy approaches a guard, it will commence the attack, and keep its position, if he is not in too great force, or the guard is not in danger of being cut off. In the latter case, it may take a new position, and make all necessary movements to resist and delay his march, combatting in close or open order to effect those objects. Finally, when sufficient time has been given for the army to take up its order of battle, and the enemy continues to *force* in the guard, it will join its regiment or regiments.

34. A guard placed in some enclosed post, or in an important defile, with *special* instructions to resist to the utmost, will not fall back or change position on the approach of even an overwhelming force, but will hold firm, and risk every thing by the most stubborn resistance, with a just reliance on timely support, and the highest approbation.

35. The posts about an army in the field ought not to be intrenched, unless the army is acting purely on the defensive; or, unless it be to cover certain weak points, or points which the enemy cannot avoid in attacking, or pursuing, if he is successful; or, finally, unless it be to close a defile, or in a mountainous country.

36. Under either of these circumstances, an enclosed post would become united to the army, and enter, necessarily, into its plan of general operations. Consequently, every intrenchment that requires artillery ought to become a post; to receive a guard or garrison; and a particular commander not subject to be daily relieved.



37. Such post will only be established according to the orders of the general of division, under the sanction of the general-in-chief, the former giving to the particular commander written instructions relative to its defence, and the circumstances under which the defence may cease.

38. After the commander has thoroughly examined the interior and exterior of his post, he will distribute the service and the ground among his officers, &c.; establish a reserve, and give the necessary instructions for every case that can be foreseen. He will suppose an attack, and will dispose his garrison for defence; to the end of being the better prepared for a real attack, whether by day or by night.

39. In dark or foggy weather, he will change the hour and direction of his patrols, and at no time suffer a flag of truce, a deserter, or a stranger, to enter his post. If it be necessary to let a flag pass by, or through, he will first cause a bandage to be placed about the bearer's eyes. Deserters will be treated in a similar manner, if permitted to enter or to pass. He will not suffer to enter even a guard sent to relieve him, until he has carefully examined it beyond the post.

40. If his post is attacked, he will act without waiting for orders, and without calling a council, as he alone will be responsible for the determinations which he may take.

41. If, after employing all the means under him, and all the resources of his genius, to repel the enemy; if, after exhausting his ammunition and subsistence, or losing the greater part of his men, and all hopes of succour have vanished, he is at length compelled to give over the defence of the post confided to him, there will still remain one gallant effort more which he will not fail to attempt, to wit: to surprise some one of the posts by which he is surrounded, and thus seek to regain the army. See the 52d and 59th articles of the rules and articles of war.

42. Grand guards will be instructed to march to their posts, if very near the enemy, without music, and to pay no compliments in their posts. Neither will their sentinels, under the same circumstances, take any complimentary notice of officers passing near them.

#### ARTICLE 53.

##### *Marches.*

1. The object of the movement and the nature of the ground will determine the order of the march, the number of the columns, and also the relative number of troops composing them.

2. In general, the greater the number of columns the better, provided that the distance between them be such that they can mutually communicate with, and sustain each other,—that is, readily unite in case of need.

3. The force and composition of the advanced guard, (formed of companies or battalions of light troops) will be regulated according to the relative position of the enemy. These troops will be destined to cover the movements of the column to which they appertain, and to arrest the enemy until the general may have had time to make his dispositions. The advanced guard will not always be at the head of the column; in a march to a flank, for instance, it will seize and occupy, in succession, the positions which may serve to cover the column.

4. The *long roll*, or *to-arms*, will never be sounded, but when the whole of the troops are to form suddenly, to meet the enemy. In this case, the first company formed will hasten to the colors, and the police guard, excepting a detachment to guard the prisoners, and guards of honor, will rejoin their companies. Other guards will not fall in unless specially ordered.

5. When the army or the corps is to march under other circumstances, the *assembly* will be substituted for repairing to the colors. It will be preceded by the *generale* for striking tents, loading wagons or bāt horses, calling in guards, extinguishing fires, &c. &c. The straw, &c. of the old camp will not be fired, as it might serve to indicate the movement to the enemy.

6. Those dispositions will be executed with the greatest promptitude. If the chief of some corps is absent, the next in rank present will take his place and commence the march.

7. The generals will, when necessary, unite the pioneers at the heads of columns, to smooth difficulties in the way of the march, and send forward a quartermaster, or other staff officer, to superintend those operations.

8. In bad roads, and particularly in night marches, it will frequently be necessary to post corporals, or mounted men, to mark the way, or to advertise the troops of the direction of the march, and of difficulties to be avoided. The corporals, or other men employed for those purposes, will, for distinction, be called *jalonneurs*. They will be posted or relieved by company, or as often as may be necessary, under the direction of the regimental quartermasters, the adjutants or other officers, and without interrupting the march.

9. The generals and other field officers will cause knapsacks, valises, and havresacks, to be frequently searched on the march, in order to throw away every thing found about the men exceeding what is prescribed, and further to furnish them if necessary.

10. In passing through a city or village, there will be left behind, by battalion, in succession, an officer and a certain number of non-commissioned officers, to prevent the men from straggling and loitering behind.

11. When necessary, the commander of the column will, in addition to the above dispositions, cause a platoon or company towards the rear, to be detached from the column, as a rear guard, to force up stragglers. Under important circumstances, he will cause one or

more non commissioned officers per regiment to be attached to this guard, to aid it in that duty. The guard will also be particularly instructed to prevent marauding, even in an enemy's country. If taken in the fact, the marauder will be sent to his corps with the proper charge, in order that he may be severely and publicly punished for the infamous offence. See the 52d and 54th articles of war.

12. The generals and colonels will occasionally halt till their columns have passed, in order to see whether the proper distances are observed. They will frequently send an aid-de-camp, or other staff officer to the rear, for the same purpose,—on whose report the march may be regulated.

13. In passing defiles or obstacles, the troops which first pass will, successively, relax their pace, or even halt, if necessary, to give time to those in the rear or regain their distances. Each division will reform after passing, before accelerating its march to rejoin the column.

14. The column will halt as often as the object of the march, and the distance to be made, will permit. Halts serve the double purpose of resting and reforming the troops. In marches, and at those temporary halts, the troops pay no honors, except as in art. 11, which see.

15. Officers' led saddle horses will follow the regiments of the owners. The same of the horses of the dismounted men in the cavalry. Bât horses, and others, will be with the wagons, under the orders of the conductors of the trains. They ought not to be permitted to accompany the columns.

16. When it can be avoided, troops (preparatory to taking up the line of march) will not be assembled in ways, routes, or other places, so as to interrupt the movements of the other troops. The generals of divisions will each send a staff officer in advance, to the rendezvous appointed, to receive the corps as they arrive. Each corps, when others are to come up, or are already at the rendezvous, will take its habitual position in the order of battle, or of march, unless a different one be specially assigned.

17. The time of commencing the march, for each corps, when several are to take the same route, will be regulated by the general-in-chief, or the senior general present, in case the former has not given his orders on the subject.

18. In marches in the interior, when the immediate object is simply to overcome distance, corps larger than regiments may be broken into regiments, and the latter follow each other at intervals, say of twelve or twenty-four hours. If the troops are without tents the same rule will be applied to the companies of a regiment, in order to increase the chance of finding shelter at night for all the companies.

19. In the interior troops will generally be furnished with *routes*, specifying the place on the route where subsistence, forage, &c. &c. may be found; and whether these supplies be previously provided or not, the commander of the corps or detachment will send forward

every morning a quartermaster or some other agent to prepare for the arrival of the troops and their wants.

ARTICLE 54.

*Battles—general dispositions.*

1. It will not here be attempted to fix, with precision, the manner of disposing of an army in the field of battle; as such dispositions ought to vary according to the respective numbers and kinds of troops opposed to each other; the nature of the war, and of the ground, and, finally, to the particular objects in view. Nevertheless, certain bases will be laid down, not to be departed from except under peculiar circumstances.

2. The advance guard ought to be preceded in marches, and attacks, by its *tirailleurs* (that is, marksmen or skirmishers)—to occupy, to harass, to disconcert the enemy; to repel *his tirailleurs*; to reconnoitre the passes leading to him; the position he occupies, and, finally, to open the way to victory.

3. After overthrowing the enemy's outposts, this guard will occupy, in advancing, the principal points which may serve to cover and to facilitate the march of the corps to which it appertains, as well as the points the possession of which may be necessary in case of retreat—such as bridges, defiles, stone houses, woods, and heights. Those objects accomplished, it will complete its chain of *tirailleurs*, and attempt, without committing itself, such attacks as may serve to occupy the enemy, and to deceive him as to the march and the projects of the corps which follow.

4. Those small detachments left behind in advancing, will rejoin the guard when other troops come up to them. If a position be taken by the line, and the advanced guard be separated from it by heights, or by defiles—in order to preserve a union with the guard, such points ought to be occupied by troops drawn from the line.

5. When sufficiently near the enemy, the troops will be drawn up in a number of lines, according to the force of the column or columns, with some battalions placed behind the wings of the first.

6. The lines may be composed of troops in column, and troops in the order of battle, according to the ground, the demonstrations made, or the attacks projected. But, in general, troops which have to advance some distance before attacking, and not exposed to a direct fire from the enemy's batteries, ought to be held in column, ready to advance, or to display according to circumstances.

7. In order not to confound the advance guard with the other troops, after the battle opens, the former will take position on the flanks, or in the intervals; in the villages or houses; on heights; behind advanced fences, &c. &c.—taking care not to intercept the fire of the troops, and also to preserve a unity of design with them.



8. The *reserve* will be in the rear of the centre, or behind the points deemed the most important. As far as practicable, it will be composed of the *elite*, both of foot and of cavalry, with a view to celerity. The object of a reserve is, to finish the defeat of the enemy; to re-establish a lost battle, or to cover a retreat.

9. The cavalry ought to be divided between the two wings, and placed in *echellon*, if the ground be favorable to its operations in those directions. Vigor, swiftness, and to *turn the enemy*, will be recommended to it; also, rather to *give* than *receive* the charge; and, in order to preserve the superiority of shock given by its totality and unity, not to commence the gallop until within a hundred paces of the enemy.

10. The commandant-in-chief of the artillery, or the superior officer of that arm, attached to a *corps d'armée*, division, &c. will distribute his batteries along the front of the line; on the flanks, or in the intervals, according to the ground, or the orders he may have received—holding himself, personally, where his presence may be the most necessary. The artillery will be employed to extinguish the fires of the enemy's batteries which cover the chosen point of attack. In defence, it will direct its fire against the troops most in advance, and in both cases the fire will be united as much as possible—it being terrible and destructive only when concentrated.

11. In battles, and military operations in general, one ought always seek to take the *lead*, that is, to reduce the enemy to the defensive. As there seldom is more than one important and decisive point to be chosen in the enemy's position, this should be early selected, and every disposition made to attack it suddenly, with a superior force—which may very well be done without a nice regard to the relative numbers of the two armies; by covering the preparatives with false attacks; by presenting on the refused points columns which may afterwards be carried with rapidity to the true point of attack; by uniting in the same end troops concealed from the view of the enemy, whether by favor of the ground, trees, houses, &c. &c. or by a cloud of active *tirailleurs*;—in short, by amusing or holding in check a larger portion of the enemy, by a smaller number of the army.

12. Defence, like attack, has its important point. Every thing depends on a just knowledge of it. It is that where the enemy would have to make the least effort, whether to overturn one corps or another, or to pierce the centre, in order to carry himself on a point of communication or of retreat, in the rear.

13. Besides the dispositions which ought to be made, relative to the probable design of the enemy, it is necessary to secure the wings by placing in *echellons* some battalions or squadrons behind them, if the ground does not afford that security. But the defence once well established, that is, the danger of being *cut* or *turned* having ceased, the army ought to assume the *offensive*, as the most certain means of

disconcerting the enemy in his plans—of giving confidence to the troops—in short, of securing victory.

14. To guard against a reverse, it is important never to hazard an attack without having one's communications, and retreat assured;—accordingly, at the same time that the dispositions for the attack are prescribed, those to be followed in case of non-success or retreat, ought also to be given. Thus will be indicated, in advance, the movements which the several corps, down to regiments inclusive, may have to make under the different contingencies which may arise; and the positions which they ought successively to seize and to occupy. But, however fully the general-in-chief may enter into the details of the day, to provide for probable or even possible results, yet as he cannot be every where, nor foresee every thing, the subordinate commanders may, according to circumstances, vary those dispositions, acting always in strict conformity to the general plan of battle, or in harmony with the other corps.

15. The government expects that *corps d'armee*, divisions, and brigades, will, under the circumstances above supposed, (that is, in unforeseen cases) give to each other a mutual support; as it would not acknowledge as an advantage, but would regard as culpable, the partial success that one corps might obtain, in the place of preventing the total loss of another.

16. In the event of success, the light troops only will pursue with celerity. The others will re-establish order in the ranks, and then follow in quick or accelerated time, according to circumstances, but always with the ranks closed, and well aligned; ready to receive the enemy.

17. The general in chief, and other commanders, will, as far as possible, indicate, before the attack, the points where they may be personally found during the action; and in case a commander is thrown *hors de combat*, the circumstance ought to be promptly notified to the officer next below in rank, and the one next above, by an aid-de-camp, if a general, or the adjutant, in the case of his colonel.

18. To keep a general well informed of the actual situation of the corps not immediately under his eye, during an engagement, staff officers ought to be directed, successively, to follow their movements, and to report, from time to time, to the chief.

19. All commissioned and non-commissioned officers will compel those inferior to them to remain steady in the ranks during an action, and not suffer any inferior to dishonor the American name by quitting his post to despoil the dead or wounded. (See the 52d article of the rules and articles of war.) The quitting the ranks under the pretence of carrying off the wounded is the ordinary refuge of the cowardly, and ought never to be tolerated. For the service of field, or flying hospitals, see art. 55.

20. The senior officers of the artillery will, after the battle, send to collect the artillery, arms, and accoutrements, left on the field.

21. A written report of the day will be made by the several commanders, including those of battalions and squadrons, to their respective chiefs, each in what concerns his corps. From the reports of those next below him, corroborated or corrected by his own observations, and those of his staff, the general in chief will make his detailed report to the Secretary of War, and put in orders the name of every individual, without regard to rank, who may have distinguished himself in an extraordinary manner.

22. As reports and orders relative to battles, and other military operations, constitute, in the case of subordinates, the foundation of military fame, and this fame the principal reward of merit, too much care cannot be observed by the general in chief in collecting information, before he offers the names of his companions in arms to the notice of government, and the admiration of the country. Justice and policy equally require that the names of individuals or of corps failing to do their duty, should be given in like manner. Indeed, reports of military affairs are highly defective, which do not notice faults committed, as well as strokes of extraordinary courage or genius exhibited.

23. To enable the general in chief to execute, with impartiality and fidelity, this high and delicate trust, his first despatch to the government ought, briefly and simply, to state the general and more important results of the affair; making his detailed report afterwards, on full deliberation.

24. Private letters, or reports, relative to military marches and operations, are frequently mischievous in design, and always disgraceful to the army. They are, therefore, strictly forbidden, and any officer found guilty of making such report for publication, without special permission, or of placing the writing beyond his control, so that it finds its way to the press, within one month after the termination of the campaign to which it relates, shall be dismissed from the service.

#### ARTICLE 55.

##### *Field hospitals.*

1. Besides the temporary or stationary hospitals established in the neighbourhood of an army for the reception of the sick, &c. there shall be organized, by the medical director attached to general headquarters, *field or moveable hospitals*, to follow the corps during operations, and to give to the wounded the most prompt assistance.

2. For these purposes, the medical officers, &c. will be organized into a field depôt, divisions, sections, and a flying hospital; the extent of each to correspond with the corps to which it is attached.

3. On the day of a battle, the field depôt shall be placed, as near as may be, behind the centre of the army, and as near the line as practicable, without compromising its safety. The divisions will, in

like manner, be posted behind the wings of the army, or the principal operating columns; the sections will follow the smaller or detached corps, or will be held in readiness, near points at which partial shocks may be expected. The flying hospital will be with the advance guard; the surgeons, &c. lightly mounted and equipped, ready to fly to the points where the action is hottest, and to afford the earliest succour to the wounded.

4. The medical director will, in concert with the quartermaster general, cause a suitable number of light wagons and attendants to be attached to the several parts of the field hospital, each detachment under the conduct of an officer or agent of the quartermaster's department. When practicable, these attendants will be selected from the country people.

5. The field depôt and the divisions will be provided with a sufficient number of litters, &c. for the removal of the wounded to the stationary or general hospitals in the rear. They will also be furnished with cases of instruments, blankets, some brandy, wine, vinegar, salt, bread, &c. &c. &c. Most of these aids and supplies will be equally necessary to the sections and flying hospital, and will be furnished accordingly.

6. As soon as the action commences, the field depôt and divisions will be ready to receive the wounded, and hold displayed their instruments, medicaments, &c. &c. For permanent or stationary hospitals, see art. 73.

#### ARTICLE 56.

##### *Convoys and their escorts.*

1. The force and composition of the escort of a convoy will be calculated according to the nature of the convoy, the danger of attack, and the country through which it has to pass. If it be a convoy of powder, the escort should be more numerous, in order that the defence of it, in case of attack, may not be so near the wagons, &c. as to risk explosion.

2. As often as possible there will be attached to large convoys pioneers or fatigue parties, with proper tools, as well to remove difficulties in the roads, as to repair the wagons, &c. With a view to the latter, every convoy should be furnished with spare wheels, spare axles, and the like.

3. The officer charged with organizing and putting a convoy in march will give to the commander detailed written instructions for his government. The escort, in reference to the roster, will be considered as a detachment.

4. When an artillery officer is present with an escort of a convoy, consisting of ammunition or powder, the commandant, if of a different corps, ought to advise with him as to the order of marching, and parking the carriages, and also as to the sentinels necessary to prevent accidents.



5. The caissons and other ammunition carriages, also those which contain the tools and spare pieces of carriages, will form the first division, or the one most remote from the enemy; next the travelling-forges, provision wagons, &c. &c. dividing the whole number of carriages, if it be a considerable convoy, into a suitable number of divisions;—obliging those of each division to follow in close order—that is, at the distance of four paces apart, and preserving the distance prescribed between the divisions.

6. Prudence ought to be the principal quality of the commandant. He will regulate his march according to the proximity of the enemy, their respective forces, the nature of the ground, &c. &c. Before marching, he will seek to obtain the best information on those points, and afterwards push his reconnoitering parties as far in advance as circumstances may permit.

7. On discovering the enemy, those parties will report to the commandant; take a position, and wait for the approach of the column, or for orders. On resuming the march, they will throw out *tirailleurs*, to scour the road sides, woods, hollow ways, &c.

8. If the head of the column is threatened, the commandant will advance with his principal corps, leaving only small detachments on the other points; occupying, as he advances, the defiles and other positions where the enemy might attack the column to advantage. To be master of those before the enemy, he will send forward an advance guard, and when he comes up with the latter, wait with the principal corps until the head of the column rejoins him.

9. If the rear of the convoy should be threatened, similar measures would be adopted. In this case, to multiply obstacles in the way of pursuit, it would be important to destroy the bridges left behind, to choak up the roads, &c. Near the enemy, villages are always to be considered as defiles, and consequently not entered until every precaution is taken.

10. If the country is open, the principal corps will habitually remain about the centre of the column, when small advance and rear guards will be sufficient.

11. If the flanks are threatened, the ground difficult of access, or broken, and there are several defiles to pass, the defence of the convoy would be more difficult. In this case, the principal corps would occupy, in advance, the positions which serve to cover the convoy, and hold them until the rear of the latter passes.

12. It will frequently be useful, when threatened, and the width of the road will permit, to diminish the ground to be defended, by causing the carriages to form in double column, and in that order to pursue the march.

13. If a carriage is overturned, it must be promptly unloaded and set on its wheels; if broken, and the spare pieces to repair it are not at hand, it will be thrown aside the column, and the load divided among the other carriages.

14. During the night the convoy will be *parked*, and the necessary sentinels and out-posts established.

15. If the enemy is announced and is in force, the commandant will promptly cause the carriages to be parked in the form of a square or triangle, the horses inside. If the ground is unfavorable, he will double the files of carriages, to diminish the space to be defended. The drivers ought to be on foot, and at the horses' heads, the better to govern them. These persons will be held strictly to their duty. See art. of war.

16. The *tirailleurs* thrown out for the purpose will hold the enemy at a distance as long as possible. If it becomes necessary to sustain them, the commandant will do it with the greatest circumspection, as it is important to hold his principal corps prepared for the moment and the point at which the enemy may be expected to make his greatest effort.

17. Although it is prudent for an escort to avoid combats as much as possible, yet, if the enemy seizes, by anticipation, a defile or position which commands the route, it would be necessary, after leaving suitable detachments with the column, to attack him with vigor. In this case the column would remain at a halt until the defile or position be carried.

18. If the convoy is fired when in park, every exertion will be promptly made to remove the carriages in flames. If this cannot be done, the others to the leeward should be removed; beginning with those loaded with ammunition or powder. In march, the carriages fired would be overturned by the way.

19. It may happen that by delivering a part of the convoy to pillage, the remainder may be saved. This the commander may do under an extreme necessity; saving the carriages charged with ammunition and subsistence in preference.

20. When, in consequence of a very great superiority on the part of the enemy, and the duration of the combat, the commandant has lost the greater part of the escort; or, being attacked on all sides, he finds himself no longer able to resist, and that, in the one case or the other, he is without hope of succor; he ought to cause the convoy to be fired, and, with the whole of his detachment united, seek to make good his retreat by cutting his way through the enemy.

#### ARTICLE 57.

##### *Baggage train.*

1. The necessities of officers have already been limited and regulated; (see article 46;) but the camp equipage, as tents of officers and corps, cannot be reduced to equal certainty. The quartermaster general will, therefore, under the orders of the general in chief, furnish wagons, or bāt horses, in proportion to the necessities allowed under the above cited article, and in proportion to the camp equipage supplied by the government, and permitted by the general in chief, as indispensably necessary to the comfort of the officers and troops.

2. The trains belonging to the general head-quarters, and the head-quarters of army corps, will be confided to the several wagon-masters attached to those quarters respectively. The generals of divisions and brigades will appoint sergeants for the trains of their respective head-quarters.

3. The train of each regiment will be under the conduct of the quartermaster sergeant, or some other sergeant; that of a brigade under the conduct of a wagonmaster, with authority over the sergeants; and when the several trains of a division are united, the senior wagonmaster shall have charge of the whole, if there be not some superior officer of the quartermaster general's department, designated for that duty.

4. Those several conductors of trains shall be responsible to the quartermaster general, or the superior officer of his department, for the prescribed order of march, and of parking, and for the conduct of all inferiors under them, respectively, including sutlers, drivers, and servants.

5. The wagons and bāt horses contemplated in this article, and those in par. 2, art. 46, together with officers' spare or led horses, and horses and carriages belonging to corps, or to the United States, constitute the baggage train of an army. None others will be allowed to enter or march with it, without special permission from general head-quarters.

6. The trains of general head-quarters, the head-quarters of army corps, and of divisions, may, when in march, have a guard of infantry proportioned to the number of sentinels necessary for the night, which will be regulated by each particular chief of the staff, under the approbation of his general. In the cavalry, this service would be assigned to the dismounted men in preference, and, in every case where it is practicable, generals who keep guards of honor will rather detach sentinels from those guards to protect their baggage during the night, than cause a distinct detail to be made for this purpose.

7. The trains of brigadiers will be served and protected in march by the men attached to the trains of the first regiments in their respective brigades. The regimental trains will be guarded in march, as far as practicable, by convalescents, or men non-effective in the ranks, and in the cavalry by those who are dismounted.

8. When the trains are to be escorted with a view to defence, they will then fall under the nature of convoys, and the wagonmasters and other conductors will be under the orders of the commanders of the escorts. See art. 56.

9. The several trains will march in an order analogous to the rank of the generals, and that of the corps to which they belong. The wagons, &c. charged with the general supplies of the army, will have a place specially assigned them.

10. Great care will be taken to prevent the trains from cutting or intercepting the march of the troops, and in no case will they be allowed to occupy a place in the midst of a column. Habitually, the

divisions will be followed by their trains, which will be united at the rendezvous of the brigades. If it is otherwise ordered, the instructions given for the movements of the divisions, brigades, and regiments, will regulate, for each of those corps, what may concern the union and direction of their trains.

ARTICLE 58.

*General police.*

1. When it shall become necessary, in the opinion of the general in chief, a provost guard for the army, or one for each army corps or division, may be detailed, each of which, under a provost marshal, shall receive, in relief of the regimental police guards, such convicts, and other prisoners, with the army, as may be confined for the graver offences; or such prisoners, in general, as may be committed to it. See the 80th article of the rules and articles of war.

2. Provost guards will be detailed from brigades in succession, and relieved with other guards unless otherwise ordered. Their force and composition will be proportioned to the number of prisoners to be guarded. In respect to the roster, provost guards will be classed with other police guards.

3. Private servants will not be allowed to wear the uniform of any of the corps of the army; but, in order that they may be known, each will be held bound to carry about him, at all times, a certificate signed by the officer who employs him. The regimental officers' certificates, given to their servants, will be countersigned by the colonel. Out of regiments, certificates of this character, given by officers under the rank of colonel, will be countersigned by the chiefs of the staff of the corps to which the officers are attached. Each certificate will contain a description of the person of the servant who bears it, and shall be recalled if the servant is discharged.

4. Washerwomen, in the proportion authorized per company, and other laundresses permitted to follow the army, will be furnished with certificates stating them to be such, signed as in the preceding paragraph; and no woman of bad character will be allowed to follow the army.

5. Other persons with the army, and not officers or soldiers, such as guides of the country, interpreters, &c. &c. will carry about them similar attestations from the head-quarters that employs them.

6. Deserters from the enemy, after being interrogated, will be secured for some days, lest they should be spies in disguise; and, as opportunities offer, sent off to the rear; after which, if they are found lurking about the army, or attempting to return to the enemy, they will be treated with severity.

7. The arms and accoutrements of deserters will be remitted to the quartermaster, or quartermaster general, on account of the government, and their horses to the corps in want of them, after being



branded with the letters "U. S." The compensation to be accorded to deserters, for such objects, will be according to appraisement, made under the orders of the quartermaster's department.

8. The enlistment of deserters without express permission from general head-quarters is prohibited. For the conduct, &c. of prisoners of war, see art. 60.

9. As a special security, any general in chief, general of an army corps, or division, is authorized to give *safe guards* to hospitals, public establishments of instruction, of religion or of charity, also to mills, post offices, and the like. They may, further, give them to individuals whom it is the particular interest of the army to protect.

10. "Whosoever, belonging to the armies of the United States, employed in foreign parts, shall force a safe-guard, shall suffer death," (article of war.) Within our own country, persons and property are, at all times, and under all circumstances, under the safe-guard of the laws; and wantonly to abuse the inhabitants, or to injure their possessions, even in foreign parts, and in the absence of special safe-guards, would be highly disgraceful to the army, and injurious to the American name. Offences of this character will, therefore, always be punished with rigor. See — articles of the rules and articles of war.

11. A safe-guard may consist of one or more men of fidelity and firmness, generally non-effective sergeants or corporals, furnished with a printed or written paper, purporting the character and object of the guard; or it may consist of such paper only, delivered to the inhabitant of the country, whose house, &c. it is designed to protect. To disrespect such paper, when produced, constitutes the offence, and incurs the penalty mentioned in the article, &c. above cited.

12. The men left with a safe-guard may require of the persons for whose benefit they are so left reasonable subsistence and lodging; and the neighboring inhabitants will be held responsible by the army for any violence done them.

13. The bearers of a safe-guard left by one corps, may be replaced by the corps that follows; and if the country is evacuated, they will be recalled; or they may be instructed to wait for the arrival of the enemy, and demand of him a safe conduct to the outposts of the army.

14. The following form will be used:

#### SAFE-GUARD.

BY AUTHORITY OF MAJOR GEN. ——— (or Brigadier Gen. ———.)

*The person, the family, and the property of ———, (or such a college, and the persons and things belonging to it; such a mill, &c.) are placed under the safe-guard of the army of the United States. To offer any violence or injury to them is expressly forbidden; on the contrary, it is ordered that safety and protection be given to him, or them, in case of need.*

Done at the head-quarters of ———, this — day of ———, 18—.

The foregoing will be filled up, and signed by the general, and countersigned by the chief of his staff.

15. Forms of safe-guards ought to be printed in blank, headed by the article of war relative thereto, and held ready to be filled up, as occasions may offer. A duplicate, &c. in each case, might be affixed to the houses, or edifices, to which they relate.

16. The purchase of horses in the enemy's country, occupied by the army, of persons not well known, is forbidden. If it is ascertained, afterwards, that a horse so purchased was stolen, he shall be restored *gratis*, as a punishment for the neglect of the above injunction.

#### ARTICLE 59.

##### *Sutlers in the field.*

1. The number of sutlers, of sutlers' wagons and horses in the field, shall not exceed the following proportion; but the number may be reduced at the discretion of the general in chief, to wit: For general head-quarters, the head-quarters of an army corps, or of a division, one sutler each, with a wagon drawn by four horses: for the head-quarters of a brigade, one sutler, with a wagon drawn by two horses; and for every regiment, one sutler, with a wagon drawn by four horses: each sutler, of course, to find his own wagon and horses.

2. For the appointment and government of regimental sutlers, see article 41. The other sutlers will each, on the recommendation of the general to whose quarters he is attached, be furnished with a certificate of the privilege accorded, signed (by order) by the chief of the general staff.

3. A sutler of one regiment shall not sell, either for cash or on credit, any article to an enlisted soldier of a different regiment, having a sutler present, without the sanction of the commander of the latter regiment. A similar restriction is extended to the sutlers at the head-quarters of corps greater than a regiment.

4. Every sutler will be held bound to have his wagon, stall, or shop, conspicuously marked thus—"Sutler, general head-quarters;" "Sutler, 1st brigade, 1st division," &c.; "Sutler, 25th infantry," and the like.

5. The stalls, shops, and wagons of sutlers, will be frequently inspected, in order to detect prohibited articles, pillage, &c. &c.

6. Nothing in this article shall be construed as prohibiting the general in chief from granting permission to persons, other than sutlers, to bring occasional supplies of necessaries and comforts within the chain of sentinels.

## ARTICLE 60.

*Prisoners of war.*

1. Prisoners taken from the enemy, from the moment that they yield themselves, and as long as they obey the necessary orders given them, are under the safe-guard of the national faith and honor. They will be treated at all times with every indulgence not inconsistent with their safe-keeping, and with good order among them. Officers in whose power they are, will bear in mind, and recal to the recollection of the soldier, that courage is honored by generosity; and it is expected that the American army will always be slow to retaliate on the unarmed acts of rigor or cruelty committed by the enemy, in the charitable hope of recalling the latter to a sense of justice and humanity by a magnanimous forbearance.

2. Prisoners will be promptly disarmed, and escorted to some place of safety in the rear. They will be reported from head-quarters to head-quarters, as soon as the action is over, or as soon as practicable, in order that they may be sent off to the depots destined to receive them, and that a return of them may be made to the War Department. This return will specify rank, number, and corps.

3. Wounded prisoners will be treated with the same cares as the wounded of the army, and other prisoners will be subsisted at the rate of one ration each, (excepting the liquor part of the ration) without regard to rank. The general treatment of prisoners, under the head of *administration*, as clothing, pay, &c. will depend on particular conventions made with the enemy relative thereto.

4. The ordnance, carriages, horses, and other public property, captured, and the arms, accoutrements, and horses of the prisoners, will be remitted to the proper accounting officers or departments, on account of the government. The horses will be branded with the letters "U. S." before they are distributed among the corps in want of them. The officers' arms will be restored to them, together with their private effects, as soon as practicable; but officers' horses need not be returned, as they are not *necessaries*, and it being understood that they will be indemnified therefor by their own government.

5. The persons to be considered as prisoners of war, and those to be released as non-combatants, together with the exchange of the former, will depend on the conventions or cartels agreed upon by the belligerents; or, in the absence of such agreements, on the usages of war, the example of the enemy, and the particular instructions given by the government to the commanders of the American forces.

6. Prisoners of war, in dépôt, if numerous, will be organized into battalions, and placed under a proper number of non-commissioned officers, selected from their own body, who will be charged with the interior police of the battalions and companies; subject, of course, to the orders of the commander of the dépôt.

7. The officers among the prisoners will not, in general, be confined with the other prisoners. The general-in-chief, or the commander of a *dépôt*, may, according to instructions, and the deportment of the officers, give them permission to repair, without escort, to such places and by such routes, as may be designated; taking from each his *parole* in writing, binding him to act accordingly.

8. Every such officer who violates his *parole*—that is, who shall depart from the route prescribed, or the limits assigned him; or who, being permitted to return to his own country, shall serve again against the United States or their allies, before exchanged, or in violation of his *parole* given, every such officer, being retaken, shall at least be put and kept in irons, and may be otherwise punished according to the particular circumstances of the case, the instructions of the government, and the usages of war.

#### ARTICLE 61.

##### *Distributions.*

1. Under this head will be comprehended the *mode* of issuing and of receiving rations of subsistence, forage, straw, wood, &c. or the *service* of these supplies as it respects the troops.

2. As to the formation, and the placing, of magazines to anticipate the particular or general wants of an army in the field,—these are preparatives which will depend on the plans and the foresight of the government or the general-in-chief, and which enter too much into the greater operations of war to be treated of in this place.

3. To confine, then, this article to its proper limits, it may be stated that, as subsistence of some sort is indispensable to life, so is it important to the health and the cheerfulness of the troops, and (by consequence) to their efficiency, that they at all times receive the full allowance of provisions accorded to them by the government in good condition, and with regularity; but more particularly on the approach of battles, or at halts after long or fatiguing marches.

4. These objects will, therefore, command and receive the undivided attention of the commissary general of subsistence, and a large portion of that of the general-in-chief, of commanders of corps, and of the quarter-master general—each within his sphere.

5. The same place of distribution may be specified for a particular army corps, but preferably for a particular division or brigade, from the head-quarters of which, a staff officer will be detached to cause justice to be done, on the spot, to the several component regiments or corps in the issues made to them.

6. With a view to promptitude, and to diminish the fatigue of the troops, the bread wagons, &c. ought, as often as possible, to be brought behind and near the corps which are to participate in the distribution.



7. The quartermaster-sergeant of each regiment, with a suitable number of men per company, furnished with the proper returns, (see art. —, and —) will repair to the place of distribution at the hour specified. If the field and staff are to participate in it, some additional men would be added to the detail.

8. These fatigue parties will be conducted as a relief detached from a guard (see par. —, art. —) it being a principle that men on duty with, or without, arms, and not encumbered with burthens, as wood, straw, and the like, shall always be formed and marched in military order.

9. The quartermaster, or some other officer substituted by the commander, will always be present at distributions in which his regiment is interested, to judge of the quantity and quality of the supplies, or allowances tendered, and in case of deficiency under either head, to make the proper remonstrance on the spot, or, if without effect, to report the circumstances promptly to his commander, in order that the report may pass from head-quarters to head-quarters, until it reaches the authority competent to apply a corrective: officers being expressly forbidden to redress themselves or regiment, by a resort to violence.

10. In general, bread, salt meat, and the smaller part of the men's rations will be issued four days in advance.

11. The use of blankets for the carriage of the men's subsistence, is a proof of a want of decency and economy. A sack at least, per company, ought to be substituted, and at the expense of the company when not furnished by the government.

12. When practicable, supplies or allowances may be issued per company, and in mass, at the place of general distribution. The interior distribution per company will afterwards be made to the squads by lot.

13. In any particular corps, the regiments composing it will be served, commencing with the highest and the lowest numbers, alternately, and going through the series each way, unless some particular regiment is to march before the others, in which case, *that* would be the first served; but a regiment, the first in the above order, shall not have a right to stop an issue to another regiment commenced before the arrival of the party of the first. A like principle will be applied to the companies of the same regiment, when the regiment is served in mass.

14. The foregoing presupposes an ample supply for all the corps; but should a contrary case arise, the same deduction would be made from the full allowance of each individual, according to a previous calculation made by the issuing department in question.

## ARTICLE 62.

*Sieges.*

1. A siege is here supposed to be conducted by two divisions of infantry, and a brigade of cavalry. This example will serve for a greater or smaller number of divisions, or even for a brigade, substituting in the latter case colonels, in the place of generals, for the duties of the trenches.

2. The generals of divisions and of brigades will alternate together for the duties of the trenches. There will be one or more of them detailed daily for this service, according to the extent of the trenches and number of attacks.

4. Their duties will be to dispose the troops so as to protect the operations going on; to defend them in case of attack, and to maintain good order, &c. among the troops of every arm employed in the batteries or in the trenches. Each of these generals will have put at his disposal a certain number of staff officers, in addition to his aids-de-camp, to transmit orders, and to superintend the details of the day.

4. According to the orders of the general-in-chief, the commandant-in-chief of engineers will draw up the general plan of the siege with the necessary developments.

5. This project will be discussed first by the commandant-in-chief of engineers, with the commandant-in-chief of artillery, when they will make their common report, (or each a separate one,) to the general in chief, who will order it to be carried into execution, or make such previous alterations in it as he may judge proper. The same course will be pursued as often as the more important events of the siege may render a change of the original plan necessary.

6. In the daily service of the trenches, the superior officer of the engineers on duty there will propose, in like manner, to the general of the trenches, the measures proper to carry into effect the general project. The general of the trenches will approve or modify those propositions, and cause them to be executed.

7. The encampment of the troops, and the service interior and exterior of the camp, will remain as habitual; but the service of the siege will be particular, and as follows:

8. The service of the trenches will be daily, and by battalion; and, in order that each may participate therein, and that the line may not be too much weakened at any one point—if only one battalion be required for the trenches, this shall be the first of each brigade, successively, next the second, and so on alternately. If two battalions be wanted, each division will furnish one in the same order; if three, the divisions will furnish the third battalion in rotation, and if four, each division will furnish two—the chiefs of the staffs making the details accordingly.

9. The battalions will be posted at the trenches in a manner corresponding with their places in the habitual order of battle. They will be detailed the over-night, and those which mount will only leave in camp the men necessary for the ordinary police guards, which ought, in this case, to be composed of individuals the least fitted for the trenches.

10. When the general-in-chief, or the general of the trenches, makes a visit to the trenches, the troops not engaged in the labors will form themselves behind the banquet, and rest on their arms. No other honors shall be rendered at the trenches.

11. The troops the first to mount in the trenches will march without noise; and those which follow, will avoid every thing that would attract the attention of the enemy, varying for this purpose the hour of relieving, as may be necessary.

12. The colors will remain at the camp, except when the battalions march to repel a sortie, or to give the assault. In these cases, they will be unfurled only when the general-in-chief shall so expressly order.

13. The troops to be relieved will send non-commissioned officers (or officers) to the openings of the trenches, to conduct the relieving corps. The former will march out by a flank.

14. The earth-sacks, fascines, gabions, or the like, and the tools necessary for the labors, will be collected at the openings of the trenches, under a sufficient guard, to be taken, preferably, from the artillery.

15. The munitions, &c. of the ordnance shall be delivered on the returns of the commandants of the batteries; those for the infantry at the trenches, on the returns of the commanders of the battalions, approved by the general of the trenches.

16. The guards of the trenches to be added to the flank companies (grenadiers and light infantry) and the laborers in the trenches, will be furnished by the battalions which mount there; the guards from the right, and the laborers from the left, of the battalions. The laborers out of the trenches, or in the rear, will be detailed as ordinary fatigues, and from the remaining battalions.

17. In case of extraordinary calls, fatigue parties may be taken from the customary piquets of the camp.

18. When the sappers and miners of the corps of engineers are insufficient for the mines and saps, auxiliaries may be selected from the other corps.

19. Sacks of earth will be placed on the *epaulement* of the trench to cover the sentinels.

20. At the trenches, alarm-posts will be established for the assemblage of the laborers, in which they will deposite their arms whilst at work. Those posts will be chosen so as to give the least embarrassment to the passage of the laborers, or other troops.

21. As soon as a sortie is repelled, the officers will recal the laborers to their work.

22. The guards which cover the laborers will be ordered to lie or to sit, as their safety may require, until the trenches are sufficiently deep—always with arms in hand. The sentinels, particularly in the night, will be instructed frequently to put their ears to the ground, in order the better to hear any movement made by the enemy.

23. In case of a sortie, the moment the garrison ceases to cannonade, (which very generally announces the approach of a sortie) the laborers and other troops will repair promptly to the alarm-posts, the batteries, the angles, &c. which may be assigned them respectively, and from which they can best defend the trenches, or take the enemy in reverse and in flank. During the sortie, all the batteries will direct their fire on the *front* of the attack.

24. When the troops shall have repulsed the garrison, they will not pursue, but wait for the orders of the generals to resume their posts and labors, which will be given as soon as the retreat of the enemy leaves his batteries free to play on the troops.

25. The grenadiers or other select troops will form the reserve. The general-in-chief will be free to organize the grenadiers into temporary battalions, and to cause them to encamp apart, or they will mount with their respective battalions.

26. The light infantry companies will mount with their respective battalions, to be employed at the advance-posts as guards, or as *tirailleurs* of the trenches. It follows, that the grenadier and light infantry companies do not furnish laborers for the trenches.

27. When circumstances shall imperiously require it, the cavalry may be employed (dismounted) in the service of the trenches. The cavalry, also, will generally be employed in assaults, to carry fascines or other materials to fill up ditches, or to form passages. In this case the regimental officers of every grade will accompany their men.

28. General officers attached to the cavalry will be employed with the corps or detachments placed in observation to cover the siege. They will also be employed, together with the field officers of their arm, during the siege, with escorts of convoys, whatever may be the corps which furnish them.

29. The officers of the engineers employed at the trenches will make to the general of the trenches similar reports to those made to the commandant-in-chief of that arm. The superior engineer officer on duty at the trenches will, when relieved, make a general report of his twenty-four hours' tour, and remit it to the general-in-chief.

30. All the commanders of corps who mount at the trenches will report, when relieved, to their respective head-quarters (as in other cases) the losses which their corps may experience whilst on duty there, noticing, at the same time, the conduct of their officers, &c. &c.

31. The general-in-chief will order such additions to be made to the ordinary rations of the troops employed at the trenches, whether armed or unarmed, as he may think necessary.

32. He will also, before giving the assault, designate certain select



companies to be exclusively occupied, from the moment the place is carried, in preventing pillage and violence; and all officers will use their utmost efforts to restrain their troops to a strict observance of good order, and of the dictates of humanity.

33. Being in possession of the place, the general-in-chief may impose a special contribution on the inhabitants (in the case of a fortified city) to be distributed on the spot, to the troops who carried the place.

34. Whether the place be taken by assault or by capitulation, all ordnance, stores, and other public property, will be turned over to the proper departments or officers, on account of the government.

#### ARTICLE 63.

##### *Defence of places.*

Every commander of a fortress, fort, or other strong place, will consider his post as liable to be attacked unexpectedly; consequently, he will regulate his plan of defence, and the order of service according to the several probable modes of attack he may have to sustain; and will determine, for the principal cases, in advance, what each corps or individual will have to perform, on the actual occurrence of either.

2. He will, more particularly, make himself acquainted with the condition of the works, their strong and weak points; the exterior ground within the circle of investment; the force, composition, and state of the garrison; the condition of the batteries, and the quantity and state of the munitions or supplies of every kind.

3. From the moment that the enemy is within one march of his post, he will compel all useless mouths to leave the place, and cause to be demolished every thing within the interior which may be in the way of a free circulation of the garrison. He will, at the same time, cause to be demolished, or cut down, all houses, trees, and the like, about the exterior, which might cover the approach of the enemy.

4. If, within the United States, such objects belong to individuals, he will first request their owners to remove them, having the property duly appraised in either case, if practicable.

5. The commander may consult the several commanders or chiefs under him, either separately, or in a council of defence; but he alone will be held responsible for the decisions he may form, whether in conformity with, or against the advice given by the council, or of its members separately.

6. He will defend his works, successively, by all the means within his power, but in those successive defences he will husband his resources in men and munitions in such manner, 1st. That he may have for the assaults, and especially the assault of his citadel, (if there be one,) a reserve of fresh troops, chosen from the oldest or best corps of the garrison; 2d. That he may have, to the last, the subsistence and the ammunition necessary for the most vigorous resistance.

7. The rules and articles of war, (see the 54th) and the usages of nations, condemn to death any commander who shamefully abandons a fort or post he may be charged to defend. To escape such ignominy, he ought, in the case of a fortress, to compel the besiegers to approach by slow and successive labors, and to repel at least one assault. See par. 41, art. 52.

8. Finally, if compelled to capitulate, the commander will not separate himself from his officers or troops, but will participate in the common lot, after as during the siege; exerting himself to the utmost to ameliorate the fate of the garrison, of the sick and the wounded; for whom he will stipulate every clause of exception, or of favor, which it may be in his power to obtain.

9. Every commander who loses a fortress, or post, confided to his defence, shall, at least, be called before a court of inquiry to justify his conduct.

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## SECTION VI.

### ARTICLE 64.

#### *Troops on board of transports.*

1. The government will generally designate a naval officer to take up ships or vessels for the transportation of troops, and also to superintend (or to give instructions for) fitting up the men's births therein. In this latter duty he will receive the proper assistance, in labor and materials, from the commanding officer of the troops to be embarked, or from the quartermaster's department.

2. The commanding officer of the troops, or other land officer, superintending the embarkation, will appoint one or more medical officers to accompany the particular commanders, who are to embark on board the several transports, for the purpose of making a most minute and particular inspection of their respective vessels, previous to the embarkation of the troops.

3. Each of these commanding officers will make a report of the inspection, (in the annexed form) signed by himself and the accompanying surgeon, to the officer who ordered the inspection.

4. As soon as the troops are on board, the commanding officer will cause the arms to be placed in the racks previously prepared, and the accoutrements, &c. over or near the men's births. Cleats, or slings, if not already prepared, will be immediately put up for the accoutrements and knapsacks. The men will not be dismissed until these duties are performed.

5. As far as practicable, each company will be assigned to the same part of the hold, and the squads in the same manner, to contiguous births. Sections of births will be distributed among the

companies, according to rank, reserving a particular section for all the men having wives.

6. Service ammunition, in the possession of the men, will require great care, and frequent inspections, to prevent damage. The quantity left in the cartouch boxes will be limited according to circumstances. The reserve ammunition will be under the charge of the commanding officer, the quartermaster, or conductor of artillery.

7. The men, including non-commissioned officers, will be divided into three watches, one of which will constantly be on deck, day and night, under at least one subaltern, having the particular charge of the watch.

8. *An officer of the day* for each transport will be detailed, whose duty it shall be to cause good order to be preserved by the troops, and to see that the regulations of service and police are duly executed. The subalterns of the several watches, as well as the commander of the guard, will be immediately responsible to the *officer of the day*.

9. A guard, proportioned to the number of sentinels required, will be detailed daily. In harbor, the guards will mount with arms, as usual; at sea with side arms only.

10. Besides the sentinels who may be required at the hatches, between the main and quarter decks, and at the forecastle, one or two will always be posted at the caboose, with orders not to allow fire, in any shape, to be taken without permission.

11. The men of each watch will be appointed to stations in a manner so as to afford the readiest assistance in working the vessel. Those not of the watch will be ordered below when required by the master, or his mates, in order that they may not impede the working of the vessel.

12. The commanding officer will make arrangements, in concert with the master of the vessel, for calling the troops to quarters, so that in case of alarm, caused either by fire or the approach of the enemy, every man may repair promptly to his station. But he will take care not to crowd the deck. The troops not wanted at the guns, or to assist the sailors, and those who cannot be advantageously employed with small arms, will be formed as a reserve between decks.

13. All the troops will turn out at ——— A. M. without arms or uniform, and (in warm weather) without shoes or stockings; when every individual will appear as clean as circumstances will possibly allow; his hands, face, and feet, washed, and his hair combed. The same personal inspection will be repeated thirty minutes before sunset. The cooks alone may be exempted from *one* of those inspections per day, if necessary.

14. Recruits, or awkward men, will be drilled in the morning and evening in the use of arms, an hour each time, when the weather will permit.

15. In warm weather, frequent bathing will be essential to the preservation of health. Large tubs will be fixed on the forecastle for this purpose, when they can be had; or the men may be placed in the *chains*, and have buckets of water thrown on them as a substitute.

16. The men will shave themselves and put on clean shirts at least twice a week, and it is very important that they should have the means of changing their clothes when wet. It is also very desirable that each should be provided, except for short passages, with a fatigue frock, to wear on board.

17. It will be easy to place small frames over the sides of the vessel's bows, to serve as privies. These, and the sides of the vessel near them, will be well washed by throwing down buckets of water at the commencement and at the middle of each watch, by the men of the watch.

18. When the weather will permit, bedding of every kind will be brought on deck, every morning, for airing. This rule will be applied equally to the soldiers having their wives with them. The partitions, as board, curtains, &c. which divide their families, will be removed at the same hour, in order that the circulation of air may not be interrupted during the day.

19. The men will next proceed to sweep, scrub, and scrape the births and decks, except the upper deck, which will be washed every morning by the watch then on duty, previous to the removal of the bedding, *Between decks* will not be washed oftener than once a week, and only when the weather is fine. The boards of the lower births will be removed once or twice a week to change the straw, &c.

20. The *officer of the day* will give a particular superintendence to those operations, making his reports to the commanding officer.

21. During cooking hours, the *officer of the day* will frequently visit the caboose, to see that the messes are well prepared, and that an officer per company attends at meal hours, to cause justice to be done to the company, to preserve good order therein, &c. The coppers are to be regularly and well washed, both *before* and *after* use.

22. Every precaution is to be taken to prevent the secreting of liquor on board transports, and that issued to the troops, as a part of their rations, will be drank only at dinner, well diluted with water.

23. The bedding will be replaced in the births at sunset, or at any earlier hour, when there is a prospect of bad weather; and at ——— o'clock, P. M. every man not on guard, or of the watch, will be in his birth. The women will retire at the same time, and, in order to ensure a due execution of this regulation, the *officer of the day*, with a lantern, will make a tour between decks.

24. All lights will be extinguished at eight o'clock, P. M. except such as are placed under sentinels. The *officer of the day* will report, at the time, the execution of this injunction. The officers' lights will be extinguished at ten o'clock, unless special permission be given to continue them for a longer time, as in case of sickness or other emergency.

25. No smoking will be allowed between decks, nor any lights among the men, except in lanterns.

26. For the sake of exercise, the troops will be occasionally called to quarters by the beat *to arms*. Those appointed to the guns will be frequently exercised in the use of them.



27. The arms and accoutrements will be frequently inspected. The metallic parts of the former will be often wiped and greased again, as they are particularly liable to contract rust at sea.

28. Frequent fumigation between decks will be highly necessary to the health of all on board. The materials for fumigation may be brimstone, with saw dust; or the brimstone may be thrown over hot coals; nitre, with the addition of a little vitriolic acid; or common salt, with the same addition; gunpowder wetted, or a heated logger-head in the pitch pot. This operation will always be performed under the immediate direction of the surgeon, to prevent improper quantities of the articles being used, and also under the eye of the *officer of the day*, to guard against accidents by fire.

29. During voyages in hot weather, the best effects are derived from windsails. If they be not already provided, the master of the transport will be desired to have them immediately made, and kept constantly hung up. The officer of the watch will frequently examine them to see whether they draw well, and send non-commissioned officers to notice whether their vents be tied up, or otherwise obstructed.

30. The men will not be allowed to sleep on deck in hot weather, or in the sun, as such practice would generally result in fevers and fluxes.

31. Exercise is at all times indispensable to the preservation of health. The men will therefore be encouraged to take as much as practicable, as in dancing, wrestling, &c. The commanding officer will also cause squads of twenty or more to move quickly round the vessel, each squad for ten or twelve minutes at a time, until the whole has participated in this exercise. An hour or two in the morning, and the like in the evening, will be employed in this manner, as often as circumstances will permit.

32. In harbor, or in calms, and when there is no danger to be apprehended from sharks, the men may be permitted to go overboard by tens to bathe, on the same side of the vessel, accompanied always by a boat well manned, to pick up the men.

33. At morning and evening parade, the surgeon will examine the countenances, &c. of the men, to observe, in general, whether there be any appearance of disease in any of them.

34. The sick will, as far as practicable, be separated from the healthy men. On the first appearance of malignant contagion, a signal will be made for the hospital vessel (if there be one in company) and the diseased men removed to her; otherwise the surgeon will call all his resources into action to prevent the spread of the contagion, in which duty he will be aided by the commanding officer.

35. Hospital stores, or comforts, are no where more necessary than on board transports. A good supply ought to be taken on board of each, and strictly applied to their destination, to wit: *the use of the sick and convalescent.*

36. The surgeon will be careful to guard the men against costiveness on approaching a hot climate. In passing through the West Indies to the Mississippi or the Mobile, for instance, and for some weeks after landing in those latitudes, great care will also be required to prevent the men from eating green or bad fruit, as strangers would not be competent to judge of that article, and as most kinds, after long voyages, are highly prejudicial.

37. Regularity and decency of conduct, which are at all times required of troops, are indispensably necessary on board of transports. The commanding officer will therefore exert his utmost care and abilities, and call into action those of his subordinates, in enforcing the regulations of discipline and police among the troops, and particularly the observances required by this article. If these be strictly followed, the troops embarked may reasonably hope for as good health as on shore.

#### ARTICLE 75.

##### *Transfers.*

1. The transfer of officers will only be made by the War Department, in orders, on the mutual application of officers; and in no case will an officer of any regiment or corps, be put into another, where the transfer would prejudice the rank of any officer in such regiment, or corps; and, whenever officers are so transferred, the order for their change of stations shall specify the fact, and shall not entitle them to transportation of baggage.

2. Soldiers enlisted by the officers of any particular regiment, shall be given over to that regiment, and no transfer of soldiers from one corps to another will be made, without the assent of the officers commanding both corps, or by the orders of the War Department. And whenever any transfer of soldiers shall be made, the commanding officer of the company, or detachment, to which they belong, shall furnish a complete description list, and account of pay, bounty, clothing, &c. of every soldier so transferred.

# A SYSTEM OF MARTIAL LAW,

CONTAINED

IN A SERIES OF RULES AND ARTICLES.

In conformity to a Resolve of Congress, of the 22d of December, 1819.

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## AN ACT

*For the establishment of a system of Martial Law, for the government of the Armies of the United States.*

SEC. 1. Be it enacted by the Senate, and House of Representatives, of the United States of America in Congress assembled, That, from and after the passage of this act, the following be the rules and articles by which the armies of the United States shall be governed.

*Art. 1.* It shall be the duty of all officers and soldiers of the armies of the United States to pay a decent respect to the rules, and established usages, of society, wherever they may be stationed, particularly such as are enjoined by morality and religion. It is earnestly recommended, that they diligently attend divine service, and any officer or soldier who shall be convicted of indecent, or irreverent behaviour, at any place of religious meeting, shall be punished, at the discretion of a court martial.

*Art. 2.* It shall be the duty of all officers of the armies of the United States to manifest a good example of honor, patriotism, and subordination; to guard against and suppress dissolute and immoral practices among those under their command, and to punish all such as are guilty of them, according to the rules and usages of military service. Any officer who shall be convicted of oppression, fraud, cruelty, falsehood, violence on the person of a brother officer, provoking speeches, or gestures to the same, profane swearing, drunkenness, or any other scandalous conduct, subversive of discipline and good morals, shall be cashiered, or otherwise punished, at

Art. 1. Altered from Article 2, of the former rules.

Art. 2. Includes the 3d, and renders more specific the 99th of the former articles. The preamble taken from a similar article, in the rules for the navy, which was borrowed from the British articles.

the discretion of a court martial. Should the like offences be committed by a soldier, he shall be punished, on conviction, at the discretion of a garrison, detachment, regimental, or general court martial.

*Art. 3.* Every soldier who shall enlist himself into the service of the United States shall, at the time of his so enlisting, or within six days from it, have the articles for the government of the armies of the United States read to him, and shall, by some officer duly authorized, be taken before a civil magistrate, legally empowered to administer oaths, or where recourse cannot be had to a civil magistrate, to the judge advocate, and in his presence shall take the following oath, viz. "I — do solemnly swear, that I will bear true allegiance to the United States of America, and that I will serve them honestly and faithfully, against all their enemies and opposers, whatsoever, and observe and obey the orders of the President of the United States, and the orders of the officers appointed over me, according to the rules and articles for the government of the armies of the United States." Which magistrate, or judge advocate, is to give the officer a certificate, signifying, that the man enlisted did take the said oath.

*Art. 4.* Any officer, or soldier, convicted before a court martial of having deserted the service of the the United States, or of having enticed another to desert, shall suffer death, or such other punishment as a court martial shall order to be inflicted. Any officer or soldier, convicted of having deserted the service of the United States, from post or guard, or carrying with him in his desertion his own arms, or those of a comrade, or any other public effects, or convicted of having enticed another to do the same, shall suffer death, or other punishment, at the discretion of a court martial, not less, if the delinquent be an officer, than that of being cashiered, or if a soldier than hard labor, on the fortifications, or other public works of the United States, for the space of five years. Any officer, or soldier, who shall be convicted of having deserted to an enemy, or from post or guard, during a time of war, or of having enticed another to do the same, shall suffer death.

*Art. 5.* Any person not serving in the armies of the United States, who shall entice, or assist any officer, or soldier, serving in the same to desert, or who shall harbor a deserter, knowing him to be such, shall, upon conviction of the same, before the district court of the United States, for the district in which the offence was committed, be fined at the discretion of said court, in any sum, not exceeding one hundred dollars.

*Art. 6.* Any soldier who shall enlist himself in any corps, without having been regularly discharged from that in which he last served, shall be considered as a deserter, and suffer as such. Any officer who shall harbor or entertain a deserter, knowing him to be such,

*Art. 3.*—The 10th of the former verbatim, with one trifling exception.

*Art. 4.* enlarged from article 29, of the former, so as to define degrees of offence: 23d of the former included.

*Art. 5* —Not in the former articles, but revived from the act of May, 30th, 1796.

*Art. 6* —22d of the former; principle the same, a slight change in language.



or who shall not, on ascertaining him to be such, immediately confine him, and give notice thereof, to the corps to which said deserter belongs, shall, on conviction thereof before a court martial, be cashiered.

*Art. 7.* All expences incurred by the United States, in the apprehension of deserters, shall, on conviction of the offence, be defrayed by the individual so offending: if an officer, the amount shall be sued for, and recovered, in the name of the United States, in any court of competent jurisdiction: if a soldier, by suitable stoppages from his pay for the residue of his term of service. But all pay that may be due to any deserter shall, by the act of desertion, be forfeited to the United States.

*Art. 8.* Any officer who shall, without leave from his commanding officer, absent himself from his regiment, post, or command, shall, upon conviction, be punished at the discretion of a court martial. Any soldier who shall, without leave of his commanding officer, absent himself from his troop, company, or detachment, shall be punished at the discretion of a court martial.

*Art. 9.* No soldier enlisted in the army of the United States shall be arrested or subject to arrest for any sum under that of twenty dollars contracted before enlistment, nor for any debt contracted after enlistment.

*Art. 10.* After a soldier shall have been duly enlisted and sworn he shall not be dismissed the service without a discharge in writing, and no discharge granted to him shall be sufficient which is not signed by the commanding officer of the regiment or post to which he belongs. No discharge shall be given to a soldier before his term of service has expired, but by order of the President of the United States, nor shall any officer be discharged the service but by order of the President of the United States, or in consequence of the sentence of a general court martial.

*Art. 11.* Any officer or soldier who shall use contemptuous or disrespectful words against the President of the United States, against the Vice President thereof, against the Congress of the United States, or against the chief magistrate, or legislature, of any of the United States in which he may be quartered, if an officer, shall be cashiered or otherwise punished as a court martial shall direct; if a soldier, he shall suffer such punishment as a court martial may order to be inflicted on him.

*Art. 12.* Any officer or soldier who shall behave with contempt or disrespect toward his commanding officer shall be punished according to the nature of his offence by the judgment of a court martial.

*Art. 13.* Any officer or soldier who shall strike his superior officer, or draw, or lift up, any weapon, or offer any violence against him, being in the execution of his office, on any pretence whatever, or shall

*Art. 8.*—21st of the former enlarged so as to include officers.

*Art. 9.*—Revived from the acts of March 3d, 1799, and March 16th, 1802.

*Art. 10.*—11th of the former slightly altered.

*Art. 11.*—5th of the former verbatim.

*Art. 12.*—6th of the former verbatim.

*Art. 13.*—9th of the former verbatim.

disobey any lawful command of his superior officer, shall suffer death or such other punishment as shall, according to the nature of his offence, be inflicted upon him by the sentence of a court martial.

*Art. 14.* Any officer or soldier who shall excite, connive at, cause or join in any mutiny or sedition, in or among any of the troops of the United States, or cause mutinous letters to be circulated among the same, shall suffer death, or such other punishment as by a court martial shall be inflicted. Any officer or soldier who, being present at any mutiny or sedition, does not use his utmost endeavors to suppress the same, or, coming to the knowledge of any intended mutiny does not without delay give information thereof to his commanding officer, shall be punished by the sentence of a court martial with death, or otherwise, according to the nature of the offence.

*Art. 15.* All officers of what condition soever have power to part and quell all quarrels, frays, and disorders, though the persons concerned should belong to another regiment or department of military service, and either to order officers into arrest or soldiers into confinement until their proper superior officer shall be acquainted therewith, and whosoever shall refuse to obey such officer, though of inferior rank, or shall offer violence to him, shall be punished at the discretion of a court martial.

*Art. 16.* Instructions shall be issued under the sanction of the Department of War respecting the time and manner in which musters are to be made and muster rolls signed; the time and manner in which returns are to be made, and the different authorities to which they are to be conveyed; the time and manner in which reports, estimates, requisitions, and other similar duties of military service are to be made and the authorities to which transmitted; and, whosoever shall be directed under such instructions to perform these duties or any thing in relation to them, and shall not perform the same, shall, on conviction, be cashiered or otherwise punished at the discretion of a court martial. But, where an officer shall, without satisfactory explanation, fail to convey to any of the different offices forming the Department of War any returns, reports, estimates, requisitions, or vouchers of any sort called for by the said department, it shall be the duty of the President of the United States to dismiss him from the service.

*Art. 17.* Any officer who shall be convicted before a court martial of having signed a false certificate relating to the absence of either officer or soldier, or relative to his or their pay, shall be cashiered.

*Art. 18.* Any officer who shall knowingly make a false return to the Department of War, or to any of his superior officers authorized to call for such returns, of the state of the troops under his command, or of the arms, ammunition, clothing, or other stores thereunto belonging, or of the fortress or garrison, wherein they may be stationed, shall, on conviction thereof before a court martial, be cashiered.

*Art. 14.*—7th and 8th of the former with a slight alteration.

*Art. 15.*—27th of the former with a slight alteration.

*Art. 16.*—Not in the former.

*Art. 17.*—14th of the former verbatim.

*Art. 18.*—18th of the former slightly altered.

*Art. 19.* Any officer who shall knowingly make a false muster of man or horse, and any officer who shall willingly sign, direct, or allow the signing of muster rolls, wherein such false muster is contained, knowing it to be such, shall, upon conviction before a court martial, be cashiered, and shall be thereby disabled to have or hold any office or employment in the service of the United States.

*Art. 20.* Any officer who shall be convicted of having taken money or any other thing by way of gratification on mustering any troops, shall be dismissed the service, and shall be thereby disabled to have or hold any office or employment in the service of the United States.

*Art. 21.* Any officer charged with the inspection of the army of the United States, or any portion thereof, who shall wantonly misinform his superior respecting the state of the same, shall be cashiered.

*Art. 22.* Any soldier who shall be convicted before a court martial of having sold, lost, or spoiled his horse, arms, clothes, accoutrements, or ammunition, or of having wasted the latter, shall be mulcted in a sufficient amount of his pay to make good the loss or damage to the United States; and be otherwise punished according to the nature of the offence; and any person not belonging to the armies of the United States, who shall purchase of any soldier serving in the same, any of the articles above mentioned, shall, upon legal conviction before any court having cognizance thereof, be fined in any sum at the discretion of said court, not exceeding one hundred dollars for each offence.

*Art. 23.* Any officer of any rank or class whatsoever, who shall be convicted before a court martial of having sold, without a proper order for that purpose, embezzled, or misapplied, the provisions, medicines, forage, clothing, ammunition, or other property of the United States, or of having wilfully or through neglect suffered the same to be spoiled or damaged, shall be cashiered. And nothing in this article shall be construed to interfere with any suit that may be commenced for recovery in behalf of the United States.

*Art. 24.* Any officer convicted before a court martial of having embezzled, misapplied, or used in any way for his own benefit, any money with which he may have been entrusted on behalf of the United States for the payment of the forces of the same, or for enlisting men into the service, or for transmission from one place to another, or for any other public purpose, shall be cashiered. And nothing in this article shall be construed to interfere with any suit that may be commenced for recovery in behalf of the United States.

*Art. 25.* Any commanding officer who shall be convicted of abuse, or exaction, on the property of a sutler, shall be cashiered, or otherwise punished, at the discretion of a court martial. On any march,

*Art. 19.*—15th of the former verbatim.

*Art. 20.*—16th of the former verbatim.

*Art. 22.*—38th of the former, the latter clause revived from the acts of May 30th 1796, and March 2d, 1799, penalty less severe.

*Art. 23.*—36 of the former; not exactly verbatim.

*Art. 24.*—39th of the former, with a slight alteration.

*Art. 25,* and 26, altered from 29, 30, and 31, of the former. The details are left to the valuable regulations found in General Scott's work.

or on any emergency whatsoever, it shall be the duty of the commanding officer to extend to the property of sutlers such means of protection and transportation as may not be inconsistent with the good of the service.

*Art. 26.* No officer shall, by his own authority, or for his private advantage, lay any duty, or imposition, upon, or be interested in, the sale of any victuals, liquors, or other necessaries of life, brought into any military post, for the use of the soldiers, on penalty of being discharged from the service.

*Art. 27.* Any officer who shall borrow money from any soldier, or recruit, or traffic with him, or extort money from him, shall be cashiered. In case any soldier should make his captain, or commanding officer, the depositary of his pay, or other money, the said officer shall exactly return the same on application, under penalty of being punished, at the discretion of a court martial.

*Art. 28.* During a time of war, should any officer fail to repair, according to order, to his post, or assign obviously false, or frivolous, or insufficient excuses for not doing so, it shall be the duty of the President of the United States to dismiss him from the service.

*Art. 29.* Any officer, or soldier, who shall misbehave himself before the enemy, run away, or shamefully abandon any fort, post, or guard, which he may be commanded to defend, or by speech, or other efforts, induce others to do the like, or who shall cast away his arms, or ammunition, or who shall quit his post or colors, to plunder and pillage, shall suffer death, or other punishment, at the discretion of a court martial.

*Art. 30.* If any commander of any garrison, fortress, or post, shall be compelled by the officers and soldiers under his command to give up to the enemy, or abandon it, the officers or soldiers, who shall be convicted of having so offended shall suffer death, or such other punishment as shall be inflicted upon them by the sentence of a court martial.

*Art. 31.* When any officer shall be tried before a court martial for the defeat, surrender, or rout of an army, with the command of which he may have been intrusted, or for the abandonment, or loss, of any fortress, post, or posts, of which he may have been the commander, if it shall be proven that the said defeat, surrender, rout, abandonment, or loss, arose from corrupt connexion with the enemy, from cowardice, or wanton and unjustifiable breach of orders, he, the said offender, shall suffer death; if it shall be proven, that the same arose from incaution, or gross mismanagement, he shall be cashiered, and rendered incapable of exercising any employment in the service of the United States; if it shall be proven, that the same arose from fault of a less criminal character, he shall be punished at the discretion of a court martial.

*Art. 32.* In case any portion of the army of the United States should be captured by an enemy, in a disgraceful manner, it shall be



competent for the President of the United States, on proper representation and proof, to order that, for the period of such captivity, the portion of the army so offending receive but half pay, such stoppage not to effect any penalty incurred by any individual thereof, under these articles.

*Art. 33.* It shall be the duty of officers stationed in the vicinity of Indians, to cultivate harmony with them. Any officer convicted of maltreating them, or allowing them to be maltreated, shall be punished at the discretion of a court martial.

*Art. 34.* It shall be the duty of officers commanding armies of the United States, in foreign countries, to confirm the peaceful inhabitants of the same in their accustomed legal rights and privileges, as far as may be consistent with the articles, and the usages of war, between civilized nations. All public stores taken from the enemy, shall be secured for the service of the United States, under regulations from the War Department, and any commanding officer who shall dishonorably possess himself of any property whatever found in such countries, or who shall not restrain himself, and those under his command, from wanton oppression, or violence, shall be cashiered, or otherwise punished, at the discretion of a court martial.

*Art. 35.* Any officer who shall, without orders from his superior, waste or destroy the property, not applicable to the purposes of war, belonging to the peaceful inhabitants of foreign countries, occupied by the armies of the United States, or offer violence to the persons of the same, except from the pressing exigencies of war, shall be cashiered.

*Art. 36.* Any officer or soldier convicted of unauthorized abuse of a prisoner of war shall be punished at the discretion of a court martial.

*Art. 37.* Any officer convicted before a general court martial of conduct unbecoming an officer and a gentleman shall be dismissed the service.

*Art. 38.* Any officer convicted of inhumanity to those under his command shall be cashiered, or otherwise punished, at the discretion of a court martial.

*Art. 39.* Any officer who shall dishonorably conspire with others against a broken officer, shall be punished, at the discretion of a court martial: Provided, that nothing in this article be construed to forbid an open and decorous declaration of misconduct or injustice.

*Art. 40.* Any officer who, during a time of war, shall be intrusted by the commander in chief with any secret, respecting military operations, and shall divulge the same, shall be cashiered.

*Art. 41.* Any officer who shall be found drunk on duty, shall be cashiered. Any soldier so offending shall suffer such punishment as shall be inflicted by the sentence of a court martial.

*Art. 42.* Any sentinel who shall be found sleeping upon his post,

*Art. 34.*—58th of the former varied and enlarged.

*Art. 37.*—83d of the former.

*Art. 41.*—45th of the former.

*Art. 42.*—46th of the former.

or shall leave it, before he shall be regularly relieved, shall suffer death, or such other punishment as shall be inflicted by the sentence of a court martial.

*Art. 43.* Any person belonging to the armies of the United States, who shall make known the parole, countersign, or watch word, to any person who is not entitled to receive it, according to the rules and discipline of war, or shall presume to give a parole, countersign, or watch word, different from what he received, shall suffer death, or such other punishment as shall be ordered by the sentence of a court martial.

*Art. 44.* Any officer, or soldier, who, by any means whatsoever, shall wantonly occasion false alarms, in any encampment, or military position, shall suffer death, or such other punishment as shall be ordered by the sentence of a court martial.

*Art. 45.* Whosoever belonging to the armies of the United States, employed in foreign parts, shall force a safe-guard, shall suffer death.

*Art. 46.* Whosoever belonging to the armies of the United States, shall be convicted of holding correspondence with, or giving intelligence to, the enemy, either directly, or indirectly; or of relieving the enemy with money, victuals, or ammunition, or of knowingly harboring or protecting an enemy, shall suffer death, or such other punishment as shall be ordered by the sentence of a court martial.

*Art. 47.* Any officer or soldier who shall, either in quarters or on march, commit violence on the person, or waste or destruction of the property of any inhabitant of the United States, unless by the orders of the commander in chief of an army of the United States, shall, on conviction, be punished according to the nature and degree of the offence, by the judgment of a court martial. And the said court may, at its discretion, order that, over and above other punishment, the individual so offending be mulcted in his pay, and the amount thus recovered be given as damages to the party injured; nor shall the delinquent be thereby released from any process before a civil tribunal.

*Art. 48.* It shall be the duty of every officer commanding in camp or garrison, or on a march, to maintain order, and, to the utmost of his power, to redress all abuses and disorders that may be committed by those under his command. Upon complaint made to him of any of the offences detailed in the foregoing article, or of the disturbance of fairs, markets, or legal assemblies, or of any riot, disturbing the good order of society, he shall arrest the individuals so offending, and institute, or cause to be instituted, a court martial for the trial of the same. Any officer failing to conform to any part of this article shall, on conviction, be cashiered, or otherwise punished, at the discretion of a court martial.

*Art. 43.—53d of the former.*

*Art. 44.—49th of the former slightly altered.*

*Art. 45.—55th of the former.*

*Art. 46.—56th, and 57th of the former.*

*Art. 47.—54th of the former altered.*

*Art. 48.—32d of the former altered.*

*Art. 49.* When any officer or soldier shall be accused of a capital crime, or of having used violence or committed any offence against the persons or property of any citizen of the United States, such as is punishable under the known laws of the land, and not under these articles, the commanding officer and officers of the regiment or garrison to which the person so accused shall belong, shall, upon application, legally made, use their utmost endeavors to deliver over such accused person or persons to the civil magistrate, and, likewise, to aid and assist the officers of justice in apprehending and securing the person or persons so accused, in order to bring him or them to trial. Any commanding officer, or officers, who shall wilfully neglect or refuse to conform to the injunction of this article, shall, on conviction of the same before a court martial, be cashiered.

*Art. 50.* Should any civil officer pursue any individual attempting to flee from justice to any garrison or encampment of the forces of the United States, and be prevented by a sentinel from entering therein, he shall not force an entrance, but shall exhibit to the commanding officer his warrant. After such exhibition, should the said commanding officer resist or wantonly impede the search, so that the individual sought escape from justice, he shall, on conviction before any court of the United States having competent jurisdiction, be punished in the penalty set forth in the seventy-second section of "an act for the punishment of certain crimes against the United States," of the 30th of April, 1790, in the same manner, the said civil officer being under the authority of any particular state, as though he were under that of the United States. And, if the crime for which the said individual fled from justice be capital, the officer so offending shall be considered to have committed a rescue, and shall be punished in the penalty set forth in the twenty-third section of the said act, whether the individual thus rescued be pursued by the authority of any particular state, or of the United States.

*Art. 51.* There shall be two military courts, having criminal jurisdiction; the one a regimental, garrison, or detachment court martial; the other a general court martial. The first shall consist of three officers, except as hereinafter provided, and shall have no power to try capital cases, or officers, nor to inflict on any soldier a fine exceeding one month's pay, nor to imprison nor put to labor a soldier for a longer time than one month. The second shall consist of any number of officers, not less than five, nor more than eleven, and shall have cognizance of all offences under these articles.

*Art. 52.* Any officer commanding a regiment, separate battalion, or post, or detachment, on a march, may appoint for his own regiment, battalion, post, or detachment, regimental, garrison, or detach-

*Art. 49.*—33d of the former, altered very slightly.

*Art. 51.*—From the 51st to the 72d inclusive. The former articles under this head were found so defective that I have abandoned the order and structure of them. 64th, 66th, and 67th, of the former in substance.

*Art. 52.*—Parts of the 66th and 89th of the former, with an essential alteration.

ment courts martial, for the trial and punishment of offences not capital, and decide upon their sentences, and may pardon or mitigate any punishment which such courts may adjudge. Whenever there shall not be present at any post more than two officers besides the commanding officer, it shall be in the power of the said commanding officer, at his discretion, to detail a suitable non-commissioned officer to act as a junior member of said court. And whenever there shall not be present at any post more than one officer, besides the commanding officer, it shall be in the power of the said commanding officer, at his discretion, to constitute such court by detailing three suitable non-commissioned officers to be members thereof.

*Art. 53.* Any general officer commanding an army or department, and any colonel commanding a department, may appoint general courts martial whenever necessary. But no sentence of a court martial shall be carried into execution until after the whole proceedings shall have been laid before the officer ordering the same, or the officer commanding the troops for the time being; neither shall any sentence of a general court martial, during a time of peace, extending to the loss of life, or the dismissal of an officer, or which shall, either in time of peace or war, extend to a general officer, be carried into execution, until after the whole proceedings shall have been transmitted to the Secretary of War, to be laid before the President of the United States, for his confirmation or disapproval and orders in the case. All other sentences may be confirmed and executed by the officer ordering the court to assemble, or the commanding officer for the time being, as the case may be.

*Art. 54.* Every officer authorized to order a general court martial shall have power to pardon or mitigate any punishment ordered by such court, except the sentence of death or of cashiering an officer, which, in the cases where he has authority, as by the foregoing article, to carry them into execution, he may suspend until the pleasure of the President of the United States can be known; which suspension, together with copies of proceedings of the court martial, the said officer shall immediately transmit to the President for his determination.

*Art. 55.* At every court martial there shall be a judge advocate, or person acting as such, whose powers and duties shall be defined in regulations issued to that effect from the Department of War. He shall administer to the several members of a court martial, before they proceed upon any trial, the following oath, which shall also be taken by all members of regimental, detachment, and garrison courts martial. "You —, do swear, that you will well and truly try, and determine, according to evidence, the matter now before you, between the United States of America and the prisoner to be tried, and that you will duly administer justice according to the provisions

*Art. 53.*—65th of the former verbatim, with a trifling exception.

*Art. 54.*—89th of the former verbatim.

*Art. 55.*—69th of the former, verbatim, except at the commencement, and in the oath of the judge advocate.



of 'An act for the establishment of a system of martial law, for the government of the armies of the United States,' without partiality, favor, or affection, and if any doubt shall arise, not explained in said system, according to your consciences, the best of your understandings, and the customs of war in like cases; and you do further swear, that you will not divulge the sentence of the court, until it shall be published by the proper authority; neither will you disclose, or discover, the vote or opinion of any particular member of the court martial, unless required to give evidence thereof as a witness by a court of justice, in due course of law: so help you God." As soon as the said oath shall have been administered to the respective members, the president of the court shall administer to the judge advocate, or person officiating as such, an oath in the following words: "You —, do swear, that you will faithfully discharge the trust of judge advocate, according to the instructions from the Department of War, and that you will faithfully record all and every part of the proceedings that may be had in the cause now in hearing; and you do further swear that you will not disclose nor discover the vote or opinion of any particular member of the court martial, unless required to give evidence thereof as a witness by a court of justice, in due course of law; nor divulge the sentence of the court to any, but to proper authority, until it shall be duly disclosed by the same—so help you God."

*Art. 56.* Courts martial shall be regulated as to process, the laws of evidence, and the mode of forming judgment thereupon, on principles as nearly consonant to those of civil courts, as the difference of the two will admit. To effect this there shall be issued from the Department of War instructions under these articles, which shall establish and regulate the forms and proceedings of such courts, the duties and powers of the several members thereof, the rights of the accused, and every thing directly or indirectly connected therewith.

*Art. 57.* A general court martial shall have power to send for and procure public books and documents relating to the army of the United States, or attested copies of the same; to send for and procure such books and documents, in the possession of individuals in public employment, as treat of matters before it; to preserve order during its session; to punish at discretion any witness belonging to the army who may refuse to testify, or prevaricate, in giving testimony; to coerce the attendance of its own members, of prisoners and witnesses, when they have been regularly summoned; and to exercise such other authority as may be requisite to put into effect the functions assigned to it by these articles.

*Art. 58.* In cases of the condemnation of a soldier, a general court martial shall have power to sentence to death, to imprisonment, to hard labor, to stoppages of pay, and to corporal punishment, according to the nature of the offence, sanctioned by military usage, and not forbidden by the laws of the United States. In cases of the condemnation of an officer, it has power to sentence to death; to sentence that the offender be cashiered; to the same with incapacity to

serve the United States in a military station; to sentence to dismissal; to suspension of rank, pay, and emoluments, or any part of the same; to stoppages of pay in cases prescribed by these articles; to imprisonment, until the offender can be committed to the civil authority; to public or private reprimand; or such modifications of the foregoing as may not be inconsistent with the laws of the United States. But members of a court martial shall be liable, according to their votes, to suit at law, before any court of the United States, for sentencing to illegal punishments or for any manifest corruption.

*Art. 59.* A regimental or garrison court martial shall have cognizance of all offences committed by soldiers, which do not require the intervention of a general court martial, and shall have power to sentence to such punishment, according to the nature of the offence, as may be sanctioned by the usages of service, and not forbidden by the laws of the United States. But any officer who shall take the power of corporal punishment into his own hands, when the same has not been ordered by the sentence of a general, regimental, detachment, or garrison court martial, or who shall inflict violence on the person of a soldier of the United States, except in case of mutiny, or disobedience of orders, tending to the same, shall be cashiered.

*Art. 60.* All persons who give evidence before a court martial are to be examined on oath, or affirmation, to be administered by the judge advocate, in the following form—viz. “You swear, or affirm, that the evidence you shall give in the case now in hearing shall be the truth, the whole truth, and nothing but the truth: so help you God.”

*Art. 61.* In the trial of all delinquents, for capital offences, where the judge advocate shall be duly satisfied that the testimony of any one not belonging to the army is essential to the trial, he shall issue a precept, countersigned by the president of the court, directing such person to appear, and testify: said precept shall be given to the marshal of the district court of the United States and should said witness, after being duly summoned, fail to appear, without a reasonable excuse, he or she shall be fined in the same sum as though the offence had been committed against the district court of the United States, and recovery shall be made in the name of the United States, by bill or information, in any court of competent jurisdiction. When the witness shall be unable to attend, in consequence of duress, the same writ shall be issued to procure his attendance, as would be provided his testimony were required in any higher court of the United States.

*Art. 62.* On trials of cases not capital before courts martial, the deposition of witnesses not belonging to the army may be taken before some justice of the peace, and read in evidence; provided the prosecutor and person accused are present at the taking of the same, or are duly notified thereof.

*Art. 63.* When a prisoner arraigned before a court martial shall stand mute, or answer foreign to the purpose, the court may proceed

*Art. 60.*—73d of the former verbatim.

*Art. 62.*—74th of the former verbatim.

*Art. 63.*—70th of the former verbatim.

to trial and judgment, in the same manner as though the prisoner had regularly pleaded not guilty.

*Art. 64.* When a member shall be challenged by a prisoner, he must state his cause of challenge, of which the court shall, after due deliberation, determine the relevancy, or validity, and decide accordingly; no challenge to more than one member at a time shall be received by the court.

*Art. 65.* No person shall be sentenced to suffer death, but by the concurrence of two thirds of a general court martial, nor except in the cases herein expressly mentioned. No person shall be tried a second time for the same offence, nor shall any cause determined in a court martial be sent back for revision, more than once, unless new and important matter be discovered.

*Art. 66.* No person shall be liable to be tried and punished, by a general court martial, for any offence which shall appear to have been committed more than two years, before the issuing of the order for such trial; unless, from the nature of things, it was rendered impracticable to discover the offence before two years had transpired, or unless the person, by reason of having absented himself, or some other manifest impediment, shall not have been amenable to justice within that period. But any officer shall be liable to be tried, and punished by a court martial, for offences committed, while in the service of the United States, after he shall have voluntarily quitted the same; provided the offences were unknown at the period of such resignation, and the order for trial be issued, within six months therefrom, and in case of the non-appearance of such delinquent, after being duly cited, the court martial may proceed with his trial in the same manner as if he had appeared and pleaded not guilty to the charge.

*Art. 67.* No officer shall be tried, but by a general court martial, nor by officers of inferior rank, if it can be conveniently avoided. Nor shall any proceedings or trials be carried on, except between the hours of eight in the morning, and three in the afternoon, excepting in cases, which, in the opinion of the officer appointing the court martial, require immediate example, but the proceedings of a court martial shall not be delayed by the absence of any member, except the president provided enough are present to constitute legally a court.

*Art. 68.* It shall be the duty of a court martial, where an officer is cashiered for desertion, cowardice, or fraud, to direct that its sentence be published in the newspapers nearest to the camp, and of the particular state to which the offender belongs, after which it shall be deemed scandalous for any officer to associate with him.

*Art. 69.* In order to discountenance improper suits, it shall be the duty of a court martial, on acquitting a prisoner, and finding the

*Art. 64.*—71st of the former verbatim.

*Art. 65.*—7th of the former verbatim.

*Art. 66.*—88th of the former, enlarged and essentially altered.

*Art. 67.* 74th of the former verbatim; the last clause an addition.

*Art. 68.*—85th of the former, slightly altered, desertion added.

charges preferred against him to be frivolous, vexatious, and without foundation, to annex to its sentence, that the prosecutor, if an officer, be fined in his pay the amount of expence incurred by the United States to sustain the prosecution.

*Art. 70.* In case of demand from the parties, copies of the proceedings of courts martial shall be given, under due attestation from the Department of War. To this effect, the Secretary of War shall cause to be forwarded with all dispatch to some office of his department, and there recorded, the original proceedings of all courts martial; as well those convened in the militia, when called into the service of the United States, as in the regular army. And, in order to the prevention of crimes and abuses, and to ascertain whether the laws and regulations governing the armies of the United States have been duly enforced, it shall be the duty of the said Secretary to cause to be laid before him, at stated periods, from the records of that office, an abstract of all crimes, and punishments, and process of courts martial, in such cases. And it shall likewise be his duty to direct, that where explanation is required of contested points of military law, certain trials, where such principles have been rightfully adjusted, be selected, and announced as precedents.

*Art. 71.* It shall be the duty of every officer having power to order courts martial, to issue such orders on suitable application, provided the nature of the complaint, and the good of the public service require it. But in all applications to a commanding officer, for redress of grievances inflicted by a superior, it shall be his duty, on request from the party aggrieved, in case he shall not deem it proper to order a court martial, to give in writing his reasons for refusal.

*Art. 72.* All sutlers and retainers to the army, camps, regiments, posts, or detachments, shall be subject to these rules and articles.

*Art. 73.* All officers incidentally connected with the army, whatsoever may be their rank, or denomination; all military agents, conductors, drivers, carriers, or other persons, whatsoever, duly hired, and receiving pay from the United States, in the service of any of the regiments, or corps, or departments of the staff, shall be subject to these rules and articles. It shall be the duty of all officers authorized to employ such persons to set forth the provision of this article in their agreement with the same. But from the provision of this article shall be excepted the corps of cadets, the professors, and assistant professors of the Military Academy, who shall be governed by special instructions from the Department of War, containing such parts of this act as the Secretary of the same may deem advisable.

*Art. 74.* Whenever an officer shall be arrested, he shall be deprived of his sword, and confined within suitable limits by his commanding officer. Any officer who shall violate his arrest, by exercising

*Art. 70.*—90th of the former, altered and enlarged.

*Art. 71.*—Contains the substance of 34th and 35th of the former.

*Art. 72.*—60th of the former, altered.

*Art. 73.*—96th of the former, altered and enlarged.

*Art. 74.*—77th of the former, altered.



command, except in a case of mutiny, or by quitting his confinement before he shall be set at liberty by a superior officer, shall be cashiered.

*Art. 75.* It shall be the duty of every officer commanding a guard, and of every provost marshal, to receive and keep any prisoner committed to their charge by an officer belonging to the forces of the United States, provided, that the prisoner be accompanied by a written accusation of a military crime, signed by an officer of the United States' army. Any officer commanding a guard, or any provost marshal, who shall refuse to perform this duty, or who shall release any person committed to his charge, without proper authority for so doing, or who shall suffer any person to escape, shall be punished at the discretion of a court martial.

*Art. 76.* Every officer or provost marshal, to whose charge prisoners shall be committed, shall, within twenty-four hours after such commitment, or as soon as he shall be relieved from his guard, make report, in writing, to his commanding officer, of their names, their crimes, and the name of the officer who committed them, under penalty of punishment, at the discretion of a court martial.

*Art. 77.* There shall be a military court not having criminal jurisdiction, called a court of inquiry. It shall have power to examine into the nature of any transaction, wherein the whole, or any part, of the army of the United States may have been engaged; or into any accusation or imputation against any officer or soldier, or to identify the person and conduct of any suspicious person. Said court shall consist of three officers and a recorder, and shall have the same power to summon witnesses as a court martial, and to examine them on oath. The parties before it shall be permitted to cross examine and interrogate the witnesses, but the court shall not give an opinion on the merits of the case unless thereto specially ordered.

*Art. 78.* The proceedings of a court of inquiry shall be authenticated by the signature of the recorder and the president, and delivered to the commanding officer, and may be admitted as evidence by a court martial, in cases not capital, nor extending to the dismissal of an officer, where oral testimony cannot be obtained.

*Art. 79.* Courts of inquiry may be ordered by officers having power to order general courts martial; but only on their receiving direction to that effect from the President of the United States, or on demand of the party accused; except when the army of the United States may be employed, during a time of war, in foreign countries, when the foregoing power of the President of the United States may be exercised by the commander in chief of such army.

*Art. 80.* The recorder shall administer to the members of a court of inquiry, the following oath, viz: "You shall well and truly

*Art. 75.*—80th and 81st of the former.

*Art. 76.*—82d of the former.

*Art. 77.*—91st of the former, essentially altered.

*Art. 78.* 92d of the former, in part.

*Art. 79.*—parts of the 91st and 92d, altered and enlarged.

*Art. 80.*—93d of the former, verbatim.

examine and inquire, according to evidence, into the matter now before you, without partiality, favor, affection, prejudice, or hope of reward: so help you God." After which, the president shall administer to the recorder the following oath, viz: "You —— do swear that you will, according to the best of your abilities, accurately and impartially record the proceedings of the court and the evidence given in the case in hearing: so help you God." The witnesses shall take the same oath as witnesses sworn before a court martial.

*Art. 81.* All officers serving by commission from the authority of any particular state, shall, in all cases wherein they may be employed in conjunction with the regular forces of the United States, take rank next after all officers of the like grade in said regular forces, notwithstanding the commissions of such militia or state officers may be elder than the commissions of the officers of the regular forces of the United States.

*Art. 82.* Whenever it may be found convenient and necessary to the public service, the officers of the marine shall be associated with the officers of the land forces for the purpose of holding courts martial, and trying offenders belonging to either; and, in such cases, the orders of the senior officer of either corps who may be present, and duly authorized, shall be received and obeyed.

*Art. 83.* The functions of the engineers being generally confined to the most elevated branch of military science, they are not to assume, nor are they subject to be ordered, on any duty beyond the line of their immediate profession, except by the order of the President of the United States; but they are to receive every mark of respect to which their rank in the army may entitle them respectively, and are liable to be transferred, at the discretion of the President, from one corps to another, regard being paid to rank.

*Art. 84.* The officers and soldiers of any troops, whether militia or others, being mustered and in pay of the United States, shall, at all times and in all places, be governed by these rules and articles of war, and shall be subject to be tried by courts martial in like manner with the officers and soldiers of the regular forces, save only that courts martial for the trial of offenders belonging to the regular forces, shall be composed entirely of officers of the regular army; and courts martial for the trial of offenders belonging to the militia, shall be composed entirely of militia officers.

*Art. 85.* It shall be the duty of the Secretary of War, when doubts shall arise not explained in this system, to explain and determine, for the government of courts martial, and for other purposes, the customs of war in like cases; to define, whenever there shall be occasion, the specific character of the acts enumerated, as offences under these articles, and to specify such other offences, not capital, as may be prejudicial to the welfare of an army, and have been omitted here-

*Art. 81.*—98th of the former.

*Art. 82.*—68th of the former, verbatim.

*Art. 83.*—63d of the former.

*Art. 84.*—97th of the former altered.

*Art. 85.*—99th of the former enlarged.

in. And all crimes not capital, and all disorders and neglects which officers and soldiers may be guilty of, to the prejudice of good order and military discipline, though not mentioned in these articles, are to be taken cognizance of by a general or regimental court martial, according to the nature and degree of the offence, and be punished at their discretion.

*Art. 86.* All attempts to commit any of the crimes mentioned in the foregoing articles shall be punished according to their nature and extent, at the discretion of a court martial, with reference to the punishment due to the crime had it been actually committed.

*Art. 87.* When any officer shall die or be killed in the service of the United States, and there be no legal representative of the deceased at hand, it shall be the duty of the quartermaster, or some other officer appointed by the commander, immediately, in the presence of two other officers, to secure and make an inventory of all the effects of the deceased about him at the time of decease, which inventory, with a certificate on honor that the above injunctions have been strictly executed, shall be signed by the three officers, and transmitted to the Department of War for the information of the representatives of the deceased. For the same purpose, the quartermaster shall report the disposition made of the said effects for safe keeping. A like course shall be pursued in respect to the private effects of deceased soldiers by their respective captains, except that such effects may be converted into money at public sale, and the whole transmitted with the inventory to the Department of War.

*Art. 88.* In the foregoing articles the term enemy is meant to imply equally the terms enemy and rebel. The term soldier is meant to imply any person belonging to the armies of the United States, and not a commissioned officer.

*Art. 89.* The President of the United States shall have power to prescribe the uniform of the army.

*Art. 90.* These articles are to be read and published once in every six months to every garrison, regiment, troop, or company, mustered or to be mustered, in the service of the United States, and are to be duly observed and obeyed, at all times and in all places, by all officers and soldiers, who are or shall be in said service.

**SEC. 2.** And be it further enacted, That in time of war all persons not citizens of, nor owing allegiance to, the United States of America, who shall be found lurking as spies or emissaries from an enemy in or about the fortifications or encampments of the armies of the United States, or any of them, shall suffer death, according to the law and usage of nations, by sentence of a general court martial.

*Art. 2.* Any commanding officer of an army, encampment, or garrison, during a time of war, who shall find any person lurking in a suspicious manner about the same, and have adequate reason to believe that the said person is endeavoring to act as a spy, or is an agent of the enemy, shall cause him to be arrested and detained, until com-

*Art. 89.*—100th of the former.

*Art. 90.*—101st of the former augmented.

**Sec. 2.**—**Sec. 2d** of the former, verbatim, with one exception.

plaint can be made to the proper authority. Every officer thus arresting is required to cause such complaint to be made within twenty-four hours from the commencement of the arrest, under penalty of such punishment as a court martial may adjudge. Should any officer suffer suit at law, in consequence of the exercise of the powers granted by this article, he may plead the general issue, and give this act and the special matter in evidence.

SEC. 3. And be it further enacted, That, if any officer, soldier, or follower of the army of the United States shall commit, in any foreign country wherein the armies of the United States may be employed, murder or any other offence which if committed within the body of a county would, by the laws of the United States, be punishable with death, such offender, on being thereof convicted, shall suffer death. And the trial of such murder or offences as aforesaid, committed by persons belonging to the armies of the United States in any foreign country wherein said armies may be employed, shall be in the district where the offender is apprehended, or into which he may first be brought.

Art. 2. Any officer, soldier, or follower of the army of the United States, who shall, in any foreign country wherein the armies of the United States may be employed, knowingly and wittingly aid and assist, procure, command, counsel, or advise any person or persons to do or commit any murder or crime, as aforesaid; and such person or persons shall, thereupon, do or commit any such murder or crime, as aforesaid, then all and every such person so as aforesaid aiding, assisting, procuring, commanding, counselling, or advising, shall be, and they are hereby declared, deemed, and adjudged to be accessory to such murder or other felony before the fact, and every such person, being thereof convicted, shall suffer death.

Art. 3. If any officer, soldier, or follower of the army of the United States shall, in any foreign country, wherein the armies of the United States may be employed, on purpose, and of malice aforethought, unlawfully cut off the ear or ears; or cut out or disable the tongue; put out an eye; slit the nose; cut off the nose or a lip; or cut off, or disable any limb or member of any person, with intention, in so doing, to maim or disfigure such person, in any the manners before mentioned; then, and in every such case, the officer, soldier, or follower, so offending, his or their counsellors, aiders, or abettors shall, on conviction, be imprisoned not exceeding seven years, and fined not exceeding one thousand dollars. And the trial of such offence of maiming, committed by any officer, or soldier, or follower of the army of the United States, in any foreign country wherein said armies may be employed, shall be in the district where the offender is apprehended, or into which he may first be brought.

SEC. 4. And be it further enacted, That the rules and regulations by which the armies of the United States have been heretofore governed, and the resolves of Congress thereunto annexed, and respecting the same; and that every act or part of any act of Congress now in force, contrary to the meaning of this act, be, and the same are hereby, repealed.